

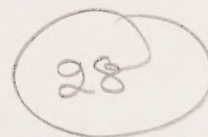


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No. 163

N° 163

ISSN 1180-2987

Legislative Assembly of Ontario

Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Tuesday 29 November 1994

Journal des débats (Hansard)

Mardi 29 novembre 1994



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 29 November 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 29 novembre 1994

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS NORTHERN DEVELOPMENT

Mr David Ramsay (Timiskaming): I stand in my place today to offer an invitation to the newly sworn-in Minister of Northern Development and Mines for Ontario, Gilles Pouliot, to come to the riding of Timiskaming and specifically Kirkland Lake. I proffer this invitation today because he has refused a similar invitation by the mayor of Kirkland Lake, Joe Mavrinac, and Mr Mavrinac asked me the other day to make sure that I asked Mr Pouliot himself that he would come.

The matters of concern in the Kirkland Lake area are especially Highway 672, locally known as the Harker Holloway road, which is an access road to one mine up in our area, the Holt-McDermott mine, but also that another mine has been announced and many people commute up that way.

It has become a very dangerous road, with logging trucks and people in passenger cars and pickup trucks trying to get to work. We anticipate a great increase of road transportation and we want to make sure these upgrades are accelerated. They are planned and we'd like the minister to see those. Also, Kirkland Lake has embarked upon an industrial development road that will link some of the industrial park areas of Kirkland Lake.

We would like to see him up there. We think he's a pretty good fellow and we think he should be up in Kirkland Lake. Mr Mavrinac and the new council would like to see him, and so today I stand in my place and make that invitation.

SHELTER FOR WOMEN

Mrs Elizabeth Witmer (Waterloo North): On December 6, 1993, the anniversary of the Montreal massacre, the Redwood Shelter for Victims of Family Violence opened its doors to women in the west end of Toronto who have been the victims of family violence.

While this 30-bed emergency shelter has helped some 300 women and children during the past year, unfortunately hundreds more have been turned away because there was simply no room for them. Despite the obvious need and the strong community support for this shelter, the Minister of Community and Social Services has not only denied the shelter funding; he has denied them the opportunity to discuss possible solutions to their financial problems.

This is a matter of setting priorities, which this government is not able to do. They spend a great deal of money on advertising and encouraging women to leave abusive situations and then they fail to financially support the shelters when women do seek help.

This morning, representatives from the Redwood Shelter were forced to hold a news conference to try to get the minister's attention because he refuses to meet with them. It is imperative that the minister communicate with them and make every attempt to help keep the doors of the Redwood Shelter open. It is time for this government to eliminate the rhetoric and get down to action now.

DURHAM COMMUNITY CANCER CENTRE

Mr Drummond White (Durham Centre): I rise today to speak about the Durham Community Cancer Centre that will be located in Oshawa at the Oshawa General Hospital in my riding. The community centre is a welcome and important addition to the health services provided at the Oshawa General Hospital, a hospital known for its excellence and devotion to the community.

The cancer centre will serve a catchment area that extends from the Metro border east to Port Hope and north to the Haliburton area. This includes a population of some 600,000 people, and some 1,200 people will be treated at the radiation therapy unit every year. These 1,200 people will be receiving the highest standard of health care in or close to their own community while battling this potentially devastating disease. There will be 1,200 families empowered to care for their loved ones with less stress on the bonds of their family life.

Since 1990, our government has devoted more than \$370 million in capital to expand cancer services, and through the investment of \$25 million in the community centre in Durham we are bringing this essential service to an area of the province that has been recognized as having one of the highest population growths. The residents of Durham have patiently waited through several governments for the kind of essential services that our Premier and Minister of Health have brought to them. I am pleased to join with them in saying: "At last. Thank you."

ANTI-RACISM ACTIVITIES

Mr Alvin Curling (Scarborough North): I am glad that the Premier is here today. I rise today to draw attention to the lack of leadership and the lack of action by the Minister of Education and Training and particularly the Ontario Anti-Racism Secretariat in responding to the terrible racist incident that happened at Humberside Collegiate in Toronto last week.

According to the reports, Mr Mahendra Gupta, a teacher at the school, was pushed down the stairs. Prior to that, he and other visible minority teachers had received threatening letters. Also, hate propaganda materials were distributed and swastikas painted on the school walls.

I am very disappointed to report that as of this morn-

ing, neither the Education nor the Citizenship ministry has undertaken any direct response to these disturbing incidents. This is not only a Humberside issue, but a broader one. It is not up to an individual school to deal with hatred in our schools. Surely the Ministry of Education and the Ontario Anti-Racism Secretariat have important roles to play.

Hate crimes should not be tolerated in Ontario schools. The individuals and groups responsible for this type of racial violence need to get the message loud and clear that their violent actions and words against racial minorities and others will not go unchallenged. For the sake of our children and the sake of our students, I urge the Ministry of Education, the Ministry of Citizenship and the Anti-Racism Secretariat to end their silence and start their work.

Finally, I want to commend the work of the police who have been investigating this incident. They are doing an excellent job.

1340

MANAC INC

Mr David Tilson (Dufferin-Peel): I rise today to share a good news story from my riding of Dufferin-Peel. This fall, a new manufacturing business opened its doors in Orangeville. Manac Inc will create 200 highly skilled new manufacturing jobs in Orangeville.

Manac is recognized as the number one Canadian company for quality custom-built semitrailers. The new Orangeville location of 143,000 feet will serve markets in Ontario, western Canada and the United States. Founded in Quebec in 1966, the Canam Manac Group Inc has experienced consistent record growth. This is an achievement that cannot be overlooked, considering the many changes that have taken place in this industry and industry in general.

Key company policies such as a positive work environment, including open communication with employees and continuous improvement, are key to Manac's success in the marketplace. Customer satisfaction is the focal point of Manac's success.

I have had the opportunity to work with some of the members of the Manac staff on issues of mutual concern, and was very impressed with the professionalism and thoroughness of their staff and administrative officials.

The Orangeville plant that Manac has purchased will be used to manufacture the company's target of 24,000 semitrailers annually.

I would like to extend my congratulations to President Gaston Bureau and vice-president and general manager of the Orangeville plant, Charles Dutil. I am sure that your success will continue in Dufferin-Peel and that the quality and commitment of our workforce will serve you well in the coming years.

CLOSURE OF CANADIAN FORCES BASE DOWNSVIEW

Mr Anthony Perruzza (Downsview): February last, the federal Liberal government announced the closing of Canadian Forces Base Downsview. No other issue will directly impact on the future of our community as will the closing of the base.

Our community will lose hundreds of jobs directly. We will lose roughly \$59 million in annual salaries from the local economy for housing, groceries, clothing etc. This will mean many homes in the area will be left vacant. Many local businesses, quite frankly, feel they will be devastated. Many more jobs will be lost in the greater Metro area because the base purchases many more millions of dollars from the local economy, the impact of which nobody, quite frankly, knows.

The downsizing activity is expected to take place in 1996. It's been 10 months since the federal Liberals announced the closure of the base, and as we inch towards this deadline, there has been no word on what the real impact of this will be on our military activity, on what the impact of this will be on our local community, and on what they plan to do with the base in the future.

We are a community that is confused and nervous about what all of this means. We in Downsview have a right to know the answers to these questions. I call on the federal Liberal government to give us the answers so that we have a clear understanding of what the future holds in store for us.

MEDICAL SCHOOL ADMISSIONS

Mr Dalton McGuinty (Ottawa South): I would like to address an issue which the Leader of the Opposition, Lyn McLeod, raised in this House yesterday. The leader asked the government for an explanation of its decision to request the Quebec government to bar Ontario's young people from medical schools in Quebec.

My leader said, "I stress the fact that this is a constituent, a young woman, a resident of Ontario, who cannot even apply to the McGill medical school because the Ontario government, her government, has told Quebec that they should not accept Ontario students."

My leader quoted from a letter this young woman had received from McGill which said, "We regret to inform you that the Quebec government, in response to a request from the government of Ontario, has recently prohibited Quebec universities from accepting applicants who are Canadian citizens or permanent residents whose place of residence is outside of Quebec."

Later, outside of this House, Ministry of Health officials indicated that this was the first they had heard of such actions. Whether by design or by accident, they have created the misleading impression that Quebec acted alone in this matter. The fact is that Quebec was simply responding to a request from the government of Ontario.

My leader raised this issue because the young people of Ontario have a right to know why their government, the government of Ontario, would close an avenue of opportunity for them. They deserve an explanation from this government, a government whose actions have resulted in reducing the opportunities open to young people in this province.

SERVICES FOR THE HEARING-IMPAIRED

Mr Allan K. McLean (Simcoe East): My statement is for the Minister of Health and it concerns proposals coming from her multiservice agency planning committees.

Joanne Wagg, area coordinator for the Barrie-Orillia

district office of the Canadian Hearing Society, indicates that communication issues arising from hearing loss or audiological assessment and services are included in MSA services. As well, available funding may not be adequate to purchase the required communication and hearing health support services in local communities.

Between 50% and 80% of seniors have a hearing loss. If this hearing loss interferes with the ability to communicate, an individual could be misdiagnosed and institutionalized prematurely. Recommendations and instructions relating to health regimen and therapy may not be heard or understood. This situation has the potential for a significant waste of long-term-care dollars that are already stretched to the limit.

Ms Wagg recognizes it may not be financially possible to build hearing assessments and services, hearing rehabilitation, communication and hearing strategies and related training into every MSA.

The PC caucus attempted to address these issues during the public hearings on Bill 173, but the minister chose to ignore us and brought in closure to end constructive debate on this controversial legislation; about 18 closures in this regime.

FESTIVAL OF LIGHTS

Ms Margaret H. Harrington (Niagara Falls): I want to invite everyone across Ontario to the annual Festival of Lights in Niagara Falls. The festival opened November 19 with 20,000 people there in the park, and Mickey and Minnie Mouse threw the switch. There were spectacular fireworks and three live Mickey Mouse shows that evening.

The festival continues every night until the middle of January. I invite you to walk through Queen Victoria Park for a very enchanted evening, then drive down the parkway towards Chippawa and visit Dufferin Islands for the new displays there, and also visit the greenhouses by the falls for the beautiful Christmas display of poinsettias. And it's all free.

Every Saturday night until the new year there is special live entertainment on the outdoor stage by the falls. Saturday, December 3, is country music night.

I'd like to ask you to ask your nearest Ontario travel centre for their brochure about all the events.

I would also like to thank Ron Buffett, who is the chair of the festival board, and also all the volunteers who have done so much work.

New Year's Eve will be the most spectacular of all. There will be children's entertainers earlier in the evening followed by headliner Blue Rodeo, and at midnight, fireworks over the falls. The evening will be televised live coast to coast by Baton Broadcasting Inc.

This is alcohol-free, family-oriented entertainment. Please come and visit us and stay over in the Falls.

ORAL QUESTIONS

SHELTER FOR WOMEN

Ms Dianne Poole (Eglinton): My question is for the minister responsible for women's issues. Four weeks ago, in responding to your statement on Wife Abuse Prevention Month, I brought the plight of Redwood Shelter to

your attention and to the attention of this Legislature.

Redwood Shelter is the only battered women's shelter in west-end Toronto. It has been full since the day it opened a year ago, the day in fact of the anniversary of the Montreal massacre. They have had to turn away hundreds of women who came in crisis seeking their help because they were full, but the provincial government has refused to give Redwood core funding so that their doors can remain open.

After two months, Community and Social Services minister Tony Silipo finally answered the letters I sent him pleading Redwood's cause with a resounding no.

1350

Minister, with all the years that you spent helping abused women and their children, I know that you realize the importance of women and children having a safe haven to escape to when they are in dangerous, abusive situations. As the minister responsible for advocating for women in this province, have you voiced your support in cabinet for giving Redwood the funding it so desperately needs, and if not, will you commit to us today that you will do so?

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): It's more appropriate for me to refer this question to the Minister of Community and Social Services since it is his area of responsibility and there are two more supplementary questions to come.

Hon Tony Silipo (Minister of Community and Social Services): Let me say, before I get directly to answering the question, that my colleague the Attorney General and minister responsible for women's issues has been continuing to be very supportive of these issues and I think it would be very few people who could question her commitment to this issue.

This is a very sensitive issue and one that we've taken quite seriously and we do take quite seriously. I know the member who asked the question also believes very strongly in this issue and the importance we place collectively, I think, as members of this House, on the whole array of anti-violence initiatives, particularly as they relate to women and children, who tend to bear the brunt of that violence.

The reality as it applies to Redwood is simply this: We have a situation in which we have an amount of money that we are spending through the Ministry of Community and Social Services and others. Through our ministry alone we spent about \$42 million to fund shelters. Among these there are 13 shelters in Metropolitan Toronto that we fund.

We simply do not have the money to be able to add core funding to additional shelters, and that is the reality. We are providing per diem funding to Redwood Shelter and we will continue to do that, but we just simply do not have the dollars to be able to allocate additional core funding to the centre.

Ms Poole: First of all, let me express my deep disappointment that the minister responsible for women's issues is refusing to advocate for the women in this province. What is her job if not to advocate for women

at the cabinet table? What is her job if not to press the government on important issues like this?

The Minister of Community and Social Services mentioned the fact that they had 13 shelters in Toronto so there was simply no room at the inn for another shelter. Well, let me tell the minister that this government could find money to fund the failed Jobs Ontario scheme, over \$1 billion, and look at how much was spent on advertising, how much was spent on public relations. They found money, \$50 million, to fund the Interim Waste Authority and what a joke that's turned out to be. Money is there if you make it a priority. This is the only shelter in west-end Toronto that serves battered women.

I find two things very disturbing concerning your government's refusal to fund Redwood. The first is that a government which purports to defend the interests of women and children could turn its back while this shelter closes, forcing women and children into dangerous, abusive situations.

The second disturbing aspect is that, according to your office, the NDP government has decided to divert direct funding for women's shelter to counselling services. Minister, we all believe in counselling and that it's necessary, but there is no substitution for the direct funding to shelters for counselling. I'm sorry, it just doesn't wash.

The Speaker (Hon David Warner): Could the member place a question, please.

Ms Poole: The question I have for this minister is, will he once again review the situation at Redwood Shelter, will he agree today to provide relief to the many women and children in Parkdale who require Redwood's services and will he fund this shelter?

Hon Mr Silipo: Let me reiterate that the member is just quite wrong when she continues to attack the minister responsible for women's issues in terms of her advocacy position. If she had not been advocating at the cabinet table and if other ministers had not been advocating at the table, we would not have had the 40% increase in funding in this area of expenditure that we've had since we became the government, which I think speaks volumes to the kind of support this government has continued to place. We would not have had the situation this year and last year in which we maintained the level of funding in this area of expenditures whereas in other areas we've made cuts. That is just the sheer reality. We are very supportive of this area.

I really find it a bit disappointing, quite frankly, that the honourable member chooses to take this issue and turn it into one of partisanship by tying it to other issues around Jobs Ontario expenditures. I just think that does a whole disservice to the importance of this issue.

We will continue to provide funding for the shelters that are there now. We have, yes, increased funding to counselling service, but we have also increased funding to the shelters, and I think both of those facts need to be on the table—

Interjections.

The Speaker: Order. Could the minister complete his reply, please.

Hon Mr Silipo: —and need to be understood by the member opposite and by all members in this House.

Mr Tony Ruprecht (Parkdale): On January 12 of this year, I brought this to the attention of the Minister of Community and Social Services and asked him to review this issue. In May, which is four months later, he finally replied, and he says in his letter that shelters such as the Redwood Shelter clearly provide a service to women who've been abused and their children. Then he says, "I sincerely appreciate the contribution of shelter workers to making our society a safer place for women and children."

I don't think this minister has understood the question. Does he not realize that there were, this last year, a thousand women turned away from this shelter? This shelter now is serving 340 women and children. The question has not even been answered, and I wish the minister would take it seriously and answer this question, because it has real community support in Parkdale.

Is he going to review this decision, hopefully favourably, and come back to this House and to the board of directors of Redwood Shelter and tell us, yes, there will be a favourable review so that these women and children will have an adequate place at the table and in Ontario for all women and children who are abused?

Hon Mr Silipo: I want to be very clear. I appreciate as much as any other member in this House the work that the Redwood Shelter does. We show that through the fact that we do provide them some funding, and I think that also needs to be on the record. We provide, through the per diems that are paid through the municipality of Metropolitan Toronto, to this shelter and to all other shelters in Metro 80% of the per diems, which we estimate in this centre would be about \$300,000 a year. We need to be really clear that we are already providing a fairly high level of funding.

I understand what Redwood Shelter is asking for, which is to have additional funding beyond that, what is commonly known as core funding. That is an area that I cannot say that we have the money to provide. We are going to continue to look at how we spend money in this area. If it's possible to find some funding from within the envelope, because there is no other money, then obviously we will continue to do our best. But that's not something that I can give an answer to today.

I also know that the shelter has some immediate, pressing funding shortfalls. Again, we will continue to look at that and we will continue to work with them and see if there can be some answers found. But the reality still remains we have increased funding in this whole area. There are 13 other shelters in Metropolitan Toronto that we fund. I understand, having said all of that, the very valuable service that this shelter provides, and we all want to see if we can find ways to continue to support what they do.

PHOTO-RADAR

Mr Sean G. Conway (Renfrew North): My question is to the Solicitor General and it concerns one of my favourite subjects, namely, photo-radar. As the minister is responsible for the Ontario Provincial Police—

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): Conflict, conflict.

Mr Conway: Well, the Premier says "conflict." A few months from now when he's driving himself again, we'll see who has a conflict. But my question is to the minister responsible for the Ontario Provincial Police and it concerns photo-radar.

Minister, could you tell the House what specific safety criteria the Ontario Provincial Police are using to assess the effectiveness or the lack of same of your photo-radar pilot project, and just how well or how poorly is that pilot project meeting those safety criteria as of today?

Hon David Christopherson (Solicitor General and Minister of Correctional Services): I suspect that the supplementary question will be quite interesting, given the initial question. Let me say then, with that in mind, that the whole purpose of the pilot project is to determine how best we can use this technology to make our roads indeed the safest in North America and as safe as we possibly can.

I know that those who are in charge of this particular initiative are very confident that by testing the various ways that it can be used and the various climatic situations and in terms of where they place it, they can determine how best it can be applied. I would think from that they will then develop the kind of criteria, as well as looking at where it has been used in other places, and measuring our effectiveness against those particular measures that they've developed for themselves and beyond that, would indeed anxiously await the supplementary.

1400

Mr Conway: I can imagine how the minister might anxiously await the supplementary, because he's probably been briefed about this very subject. The government, as the minister has indicated, has said for months that the principal justification of photo-radar is that it will improve, without doubt, safety on our highways, particularly our major highways like 401, 400 and 403.

Is the minister responsible for the Ontario Provincial Police aware of the fact that last week, specifically in the *Midland Free Press* of November 23, 1994, his colleague the NDP member for Muskoka-Georgian Bay was bragging in that part of central Ontario about how he had done his homework on this subject?

Notwithstanding the fact that he stood in his place as a loyal government member on December 13, 1993, and voted for photo-radar, Mr Waters was bragging in last week's *Midland Free Press* that he'd done his homework and that he had successfully lobbied the government and the OPP to secure an exclusion of all parts of his constituency from any application of photo-radar.

I remind my honourable friend that Highway 400 cuts through a portion of that electoral district. Is the minister responsible for this project and for public safety in the province aware of Mr Waters's very proud boast in the *Midland Free Press* of last week?

Hon Mr Christopherson: Let me say very clearly and very directly that I have not sanctioned, I am not aware of, nor would I ever support such an initiative

from any member, anywhere, based on what are clearly implied to be parochial issues around the application of photo-radar or, for that matter, and let's be very clear, the application of the law and law enforcement as it is done by the OPP or any other police service in this province.

Mr Conway: I have a report in an Ontario paper that quotes directly the government member for Muskoka-Georgian Bay as saying that he successfully lobbied his government and the OPP to secure an exemption from photo-radar for his entire riding, including an exemption for that portion of Highway 400 that traverses part of that area.

Minister, you've got photo-radar signs plastered through remote sections of north Hastings and Haliburton. I want to say, how many other government members are playing Boss Hogg in their constituencies? How many other government members are playing Boss Hogg, having voted for the legislation here, and going home and bragging about the fact that they contacted the police, they contacted the minister and, yes, they succeeded in keeping photo-radar out of their ridings, including keeping it off heavily trafficked four-lane highways like 400 through Muskoka-Georgian Bay?

Hon Mr Christopherson: Once again the Liberal Party chooses to listen to words that didn't happen and they ask their question away. It really should be pretty clear for anybody watching that there really is no intent to ask questions and get information and further the public agenda. It's all meant to play some partisan game.

I answered the question very clearly, very succinctly. It's in Hansard, it's on the record. I stand by every word I said. It's the opposite of everything that's implied in the question the honourable member asked in his last supplementary.

GOVERNMENT MAILINGS

Mr Michael D. Harris (Nipissing): My question is to the Minister of Finance. Recently, Minister, the Ministry of Health mailed very expensive glossy packages to over a quarter of a million addresses in Ontario to promote its new Tobacco Control Act.

Staff in your ministry and in Health have told us, in response to inquiries from many phone calls we've been getting from this glossy propaganda mailing, that the mailing list for this propaganda was provided by your ministry. This list of mailing addresses exists solely for the purposes of tax collection. Minister, were you aware that these confidential addresses, supplied solely for tax purposes, were used by the Ministry of Health, and if so, did you approve it?

Hon Floyd Laughren (Deputy Premier and Minister of Finance): Yes. The answer to the last part of your question first is, I am aware that that indeed is what happened and that before it happened the legislation was checked. There is in the legislation of privacy—it is appropriate, when the public interest is taken into consideration, to allow that to occur. I make no apologies on behalf of this government for informing retailers—I think to do less would be inappropriate—of the new tobacco control legislation in the public interest of this province.

Mr Harris: First of all, this mailing didn't go to those

retailers of cigarettes. This went to all of those who were registered collecting sales taxes. Secondly, it didn't go from your ministry to notify them of the act. In fact it went out from the Ministry of Health, as you will see right here, as I'm going to lay out all these million-dollar glossies for everybody before I conclude today.

The officials indicated that this is the first time some little-known overriding technicality has ever been used to violate the freedom and privacy act in the history of the government. Second, this official told us that you have absolutely no control over the content of the mailing once the confidential list is turned over to another ministry.

Minister, taxpayers in Ontario submit tax information in good faith. They don't expect to have it wind up on another government mailing list. Do you not realize that, at a time of increasing sensitivity over privacy of information and information that government has, you have destroyed the integrity of your office and of your list by turning it over, for whatever purpose, to the Ministry of Health? Do you not realize that?

Hon Mr Laughren: I could not agree with the leader of the third party more. I believe that since the legislation was changing, if anything, there was an obligation on the part of the government to write to retailers and inform them of this. I make no apology for that. I believe that this was indeed in the public interest to do so.

Mr Harris: Clearly, if you felt those who are filing tax information with you needed to know about new legislation, you could have inserted those changes at no cost when the monthly assessment goes out and the notification goes out. However, if the purpose was a million-dollar, glossy propaganda campaign, which is the propaganda campaign here, then we could see why the Ministry of Health—totally unrelated to tax information, totally unrelated to those on that list for the purposes of filing taxes—wanted to engage in that.

You've now started the ball rolling. You've violated this principle once and you're justifying it now on some worthwhile cause. No matter how worthwhile the cause, it does not justify using a list that you have in your ministry for tax collection purposes for NDP or another ministry propaganda. It does not justify it at all. We can only then assume that now your tax lists are available to the Minister of Education and Training to boost the Bob's Ontario program, or the Minister of Transportation for photo-radar, or any other government program.

1410

Clearly the privacy commissioner almost every week is public with grave, grave concerns, in this new computer and information age, about the lists that government has, concerns about the violation of privacy. Surely you would agree that this was a mistake. Surely you will apologize and assure this House it will never, ever, ever happen again.

Hon Mr Laughren: I did check the Freedom of Information and Protection of Privacy Act to make sure that what we were doing was appropriate. The freedom of information act permits the release of information where the competing public interest clearly outweighs the purpose of protecting the information from disclosure.

I ask the leader of the third party what he could possibly object to about informing retailers about an act that affects the way in which they do business. I can tell the leader of the third party that if we didn't inform them, in as clear a way as possible, and retailers were charged for violating the act—

Interjection.

The Speaker (Hon David Warner): The member for Etobicoke West is out of order.

Hon Mr Laughren: —the leader of the third party would be on his feet demanding why we had not informed the retailers of the change in the legislation in order to protect them from that very change, so the leader of the third party is trying to have it both ways.

I can tell you that changes in the legislation dealing with the Tobacco Control Act legislation are something of which we are very proud in this government and we will continue to inform as many people as possible about those changes.

The Speaker: New question.

Mr Harris: Clearly you have a different definition of protecting the privacy of Ontarians than I do.

TVONTARIO PROGRAMMING

Mr Michael D. Harris (Nipissing): My second question is to the Minister of Culture, Tourism and Recreation. TVOntario is funded to the tune of \$60 million by Ontario taxpayers. Could you tell us, and the taxpayers who pick up this \$60-million tab, what specifically is TVOntario's mandate?

Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation): TVOntario's mandate is to contribute to the education of the people of Ontario and to contribute to our communications as Ontario's people.

Mr Harris: TVOntario recently launched a public affairs daily news show called Studio 2, in competition with CITY-TV, Global TV, CBC, BBS, CHCH, CKVR, CKCO and CFMT, as far as television news goes. Rumours are widespread, some of them confirmed today, for example, that original production of Polka Dot Door has now been reduced from 30 minutes to 10 minutes. Clearly the emphasis and the thrust on children's programming and educational TV are in the legislation, are in the mandate. Programming that is more in keeping with TVO's original mandate has in fact been reduced or scrapped in order to pay for a new public affairs offering.

I would ask you this: Do you personally believe that the new Studio 2 show conforms to TVO's mandate as outlined in the legislation?

Hon Ms Swarbrick: TVOntario, I believe, is tremendously unique in its approach to helping us as Ontarians develop our identity as Ontarians. I think that as a public broadcast institution it helps to shed light and shed opportunities for us to communicate and get to know each other in a way that's different from what private, profit-making broadcast institutions do.

Interjections.

The Speaker (Hon David Warner): Order.

Hon Ms Swarbrick: In terms of children's programming—if the members are interested in listening—

TVOntario continues its tremendously strong mandate of children's programming. It is right now working on new programming to help make sure that it meets the growing new needs of children as they face the late 1990s and as we go into the 21st century. I'm tremendously proud of the work that TVOntario offers and gives to the people of Ontario.

Mr Harris: The legislation says the objects of the authority are "to initiate, acquire, produce, distribute, exhibit or otherwise deal in programs and materials in the educational broadcasting and communications fields." There has been a strong emphasis on children's programming.

Is Studio 2 the new programming for children? Is this why you've scrapped original children's shows, educational TV, access on the educational airwaves all across the province, for Studio 2?

Your government has a \$10-billion deficit. When you leave office a new Premier, cabinet, government and party will take over with a \$90-billion accumulated debt, and yet TVOntario not only has been a priority of spending for you, it has been in areas in direct competition with other broadcasters and away from the mandate of TVOntario of providing children's programming and educational programming to Ontarians.

What I want to ask you is, who's in charge over there? Who made these decisions to abandon the mandate of TVO for children and education and get into public affairs and news programming in competition with other networks? Was it the president, the chairman, the board? Was it with your knowledge, and would you not agree with me it is time to have a full public debate, because the public wasn't consulted, the Legislature wasn't consulted when the legislation was violated, on the mandate of TVOntario, ie, is anybody in charge over there of this \$60-million boondoggle?

Hon Ms Swarbrick: On the issue of who's in charge, is the third party suggesting that this government should take control over programming TVOntario for our political ends? I don't think so.

I think what's important is that TVOntario continues, independently, its ability to offer the people of Ontario what they increasingly want, and in fact TVOntario's ratings are continuing to grow in its growing sensitivity to meeting the needs of the people of Ontario.

In terms of children's programming, as I mentioned, there is now—

Mr Harris: Is that the mandate, to increase ratings, or is the mandate for educational TV and children's programming?

The Speaker: Order.

Hon Ms Swarbrick: If the member who's asked the question would like the answer, perhaps he'd like to be quiet a moment.

Actually, the critic for Culture in the third party recently attended, I know, the TVOntario phone-in campaign fund-raising evening and I'm sure had the opportunity there to learn that Polka Dot Door is in fact now being revitalized with 32 new Polka Dot Shorts programs. Next year TVOntario will be producing 32

more. There is new children's programming being invested in and delivered by TVOntario.

The Speaker: Would the minister conclude her reply, please.

Hon Ms Swarbrick: I do believe, in closing, because I know nobody wants a government to dictate or censor what TVOntario produces, that in fact public debate, public interest, public feedback is very much what TVOntario sincerely wants and I'm sure it would be interested in listening to the input of the third party too.

DANGEROUS OFFENDERS

Mr Steven Offer (Mississauga North): I have a question to the Premier. Premier, my question is, in principle, are you in favour of the removal of sexual predators from the street in order to protect the public?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I can't imagine any answer to that which wouldn't be in the affirmative. Obviously, yes.

Mr Offer: Then in the affirmative, as you've answered, you will know that currently the law does not protect the general public from sexual predators, that there is a loophole, that there is the need to change the Mental Health Act so that individuals who are deemed sexual predators will be removed from the streets prior to the commission of a crime.

Premier, I have introduced a bill which indeed will amend the Mental Health Act and accomplish that purpose. My question, since you have answered the first question in the affirmative: Will you make certain that that bill passes and becomes the law of this province?

Hon Mr Rae: Since I take the question seriously, I would say to the honourable member that my understanding of the discussions that have been under way for some substantial time is that I think there's a strong consensus across the country that the federal government, which has the responsibility with respect to the criminal law power—

Mrs Elinor Caplan (Oriole): You can fix it in Ontario.

Hon Mr Rae: If members will just hear me out without shouting back, if you'll just hear me out, because there is an issue here, to make sure you do something which is actually going to work, is actually going to be effective and is actually going to withstand constitutional challenges as well as other challenges, that's an issue—

Interjection.

Hon Mr Rae: You speak with great confidence in these matters. We have to take lots of advice from people within the various ministries who also have experience in these matters, and their views are not to be dismissed or treated with cavalier contempt. Their views are to be taken seriously and treated with some respect. The evidence that I've seen is that the consensus across the country is that this would be the best way to proceed.

1420

With respect to the existing powers under the Mental Health Act, there are powers under the existing Mental Health Act which deal with questions of people who are seen as being a threat to the public, seen as representing

a direct threat to themselves or to the public. There are powers under the Mental Health Act which provide for some powers to admit people into hospital and provide for their temporary incarceration. This is not a perfect solution; it does not provide us with all the answers.

I will say to the honourable member that I will certainly be glad to ask the law officers of the crown and others to look at the particular proposal which is coming from the honourable member, but I think the way he dismissed my earlier answer—I was not trying the least bit to say this isn't an issue. It's an issue for all of us. It's an issue for all of us who have families. It's an issue for every citizen to be concerned about this. This is not something which one dismisses easily.

The Speaker (Hon David Warner): Could the Premier conclude his reply, please.

Hon Mr Rae: I'm just saying that the consensus that I have seen is that the clear question of the application of the criminal law power—if you're dealing with something involving the civil liberties of the individual and involving a potential infraction of the Criminal Code, the issue is one that is best handled at the federal level. It doesn't mean we do not have responsibilities.

The Speaker: Could the Premier please conclude his reply.

Hon Mr Rae: It does not mean that the Mental Health Act does not apply. It does mean it has to be something that's treated with some care and balance as we try to solve this thing through.

HEALTH CARE

Mr Michael D. Harris (Nipissing): My question is to the Minister of Health. Since your government took office, nearly 8,000 hospital beds have been closed in Ontario, there continue to be long lineups for important medical services and treatments, a record number of services have been delisted, out-of-country health coverage has been slashed, and user fees and copayments are so common they now account for nearly 20% of hospital revenues. You have seriously undermined what was once a first-class health care system.

On behalf of all Ontarians, on behalf of our employers, for whom a first-class health care system was indeed one of those things that helped attract industry and investment here, why has health care not been a priority for your government?

Hon Ruth Grier (Minister of Health): I really find that question offensive, as do all of my colleagues on this side of the House. We had just last week a debate in this House on health care, when the member opposite moved that in fact we restore all out-of-country coverage to the people in this province at a cost of \$200 million, because that's been the savings we've made over the past several years with respect to out-of-country coverage. At that time and in that debate, members on this side, for whom the member opposite didn't even have the courtesy to stay, explained very clearly the advances that there have been in the health care system of this province over the last four years.

We spend one third of our provincial expenditures on health care, a more expensive system than any in the

industrialized world. We have a system here that is first-class. We have, over the past four years, expanded cancer treatment, eliminated waiting lists for cardiac care and expanded the bone marrow transplant program. We have put in place an aboriginal health policy which was never there before. We have established midwives, the first province to do so. We have expanded long-term care by \$600 million. The people of this province have a better health care system than anywhere else in this country, and certainly better than Alberta.

Mr Harris: I asked the minister why it hasn't been a priority for her government and the minister opened up her answer with all the cuts and slashes, and benefits and programs that you've taken away from Ontarians. You seem to be proud of the fact that you've slashed benefits for travellers and our senior citizens.

Interjections.

The Speaker (Hon David Warner): Order.

Mr Harris: This Friday, we are sponsoring a public policy forum on health care in Ottawa. We have released—

Interjections.

The Speaker: Would the leader take his seat. I would ask the government members to please come to order so I can at least hear the question.

Interjections.

The Speaker: Would the member for Cambridge please come to order.

Mr Harris: Thank you very much, Mr Speaker. This Friday we're sponsoring a public policy forum on health care in Ottawa, and we've released a discussion paper for that forum which I'd like to send over to you right now, to the minister of non-health.

Minister, one of the commitments that we clearly make by slashing pensions, by slashing the number of politicians, by cutting back on bureaucracy, duplication and waste, is that not a cent will be cut from health care. This document explains how we will do that. One of the second commitments that we make, Minister, is for a health care bill of rights for every Ontarian so that no future government can get in as you did and five years, 10 years, 15 years from now come back in and slash health care.

I'm asking you, Minister, given the serious deterioration of the health care system in Ontario, will you support our call for a health care bill of rights for all Ontarians?

Hon Mrs Grier: I thank the member for sending me a copy of the material that he is going to provide to the forum he is holding. I have looked through it very quickly and perhaps I've missed it, but I don't see in here the health care levy that is going to raise \$400 million and that is part of the Common Sense Revolution. I would say to the member opposite, if you're going to have a health care forum, at least be open and honest with people and tell them that you're going to impose on the people of this province a levy for their health care.

What this government has done is maintain spending on health care. We now spend per capita in this province

more than in any other province across the country, and we have in this province access to a greater number of services and a larger number of services than we have anywhere else, and certainly than we had before this government took office.

WORKERS' COMPENSATION

Mr Gary Malkowski (York East): My question is to the Minister of Labour. I have recently met with a group of injured workers from our riding and they have reminded me how they fought for years to get the right to receive the full cost-of-living adjustments for their compensation benefits. Finally they won this right in 1985, with all-party support from this Legislature. They showed me the speeches from Hansard where all three political parties welcomed this measure as a symbol of dignity and justice for Ontario's injured workers.

These constituents wonder why the government has proposed to do away with the full cost-of-living adjustments with Bill 165, and request that this government and this Legislature reconsider these changes in light of their historic agreement in 1985 to fully protect injured workers from inflation. Since a royal commission has recently been announced to study benefit structures and funding issues, will the minister maintain this protection until the royal commission has evaluated it?

Hon Shirley Coppen (Minister of Labour): Bill 165 is a balanced package that addresses the urgent needs of the Workers' Compensation Board. Our government's position is that we needed to act now; we couldn't wait any longer.

The unfunded liability was growing as we speak, daily.

In passing the bill we will give nearly 50,000 injured workers, people I have met, people who are seniors over the age of 70 years old, an additional \$200 a month. All of us in this House will agree that this money has been needed and they need it right now. But the WCB's financial woes, problems it has had, also need to be addressed, and adopting the Friedland formula for most benefits is the best thing to do at the present time.

Also, as the member had asked, the royal commission will address these problems that we're having at the Workers' Compensation Board, but the most important thing is to get on with Bill 165, pass it now, and be able to help injured workers.

1430

Mr Malkowski: The proposal to increase some permanent disability benefits by \$200 a month has been estimated to cost less than \$100 million a year. This cost can be borne by the WCB without increasing employer premiums or reducing injured workers' benefits.

Will the Minister of Labour direct the WCB to recover some of the estimated \$260 million a year that it loses in bad debts by employers and employers evading registration, and some of the more than \$200 million a year in assessments collected to pay injured workers' benefits that the WCB pays to employers in refunds under experience rating? Will the Minister of Labour act now to use the money which is available to increase permanent disability benefits without changing benefit structures or current employer assessment rates?

Mr Steven W. Mahoney (Mississauga West): Wrap it up.

Hon Mrs Coppen: I have a comment to make to you and to the opposition. I do not appreciate being told to wrap up. This is an important issue in this province. The heckling I think is—

Interjections.

The Speaker (Hon David Warner): Order.

Hon Mrs Coppen: The opposition knows how the unfunded liability has been a major worry for all three governments, and we were the only ones to act upon it.

I think it's totally unfair to say that all employers are evading making their assessment payments. It really is unfair of the member to say that. We have people who are investigating and are collecting those assessment rates at the present moment, but again, it is unfair to say that all employers are evading it. The board is moving vigorously to collect these assessments.

On the larger issue, as I said in the first question, we need to move on with Bill 165 to help injured workers in this province, but most importantly, or secondly, to get the unfunded liability under control, something we have taken control of, a mess we were left, and something very positive that we're going to do for the people in this province.

MEDICAL SCHOOL ADMISSIONS

Mr Dalton McGuinty (Ottawa South): My question is for the Minister of Health. She was here a moment ago. I see her books are still on her desk. She's back.

I want to raise the issue of medical school admissions which my leader raised here yesterday. We're very concerned to learn that Ontario has asked Quebec to cease admitting Ontario residents to its medical schools. Yesterday, Madam Minister, your officials indicated that they had not heard of this policy before.

Today, I've got a letter dated October 4, 1994, more than a month and a half ago, written by Jodey Porter, your assistant deputy minister. I want to quote from the letter. In it she says, "In July of last year"—that would be 1993—"the minister wrote to her counterpart in Quebec, M. Marc-Yvan Côté, informing him of our plans to reduce undergraduate medical school enrolment in September 1993." The letter goes on to read, "The minister asked that Quebec consider limiting the intake of Ontario residents not covered by interprovincial agreements into undergraduate medical schools."

Madam Minister, would you please confirm that you were very much aware of the actions of the Quebec government and that in fact they took this action in direct response to your request?

Hon Ruth Grier (Minister of Health): I'm sorry I wasn't here yesterday when the question was raised and I think responded to by my colleague, but I'm very glad of an opportunity to remind the member and the members opposite that it was, I think, in the late 1980s that ministers of health from every province and territory began to discuss together how to deal with better planning in a human resource policy for physicians across this country.

In 1992, all provinces agreed to a national action plan in order to plan for the future needs of physicians and to limit the number of undergraduates receiving medical training so that we would match the number of physicians we train to the needs of the country, and as a result of that, here in Ontario there was a reduction of 75, 10% of the undergraduates entering medical schools.

As part of those discussions, which have been national, and as recently as last fall, all of the ministers and the federal government reaffirmed that physicians be regarded as a national resource and that potential physicians should be able to receive their training wherever they so desired in this country. But all of the provinces have been moving to limit undergraduate enrolment in order to plan for the future. So as Ontario had taken action, yes indeed, I wrote to my Quebec counterpart and asked them to work with us to limit the number of undergraduates who were being trained in Quebec, not to eliminate the possibility of Ontario residents being trained in Quebec.

Mr McGuinty: I can see how it serves the minister's purpose to attempt to complicate this, but really the facts here are very straightforward: Firstly, we have the McGill medical school accepting Ontario students; secondly, we have our Minister of Health writing to the Quebec government, asking it to limit the intake of Ontario students into its Quebec schools; thirdly, we have Quebec acting on this request by turning away Ontario students. These are the incontrovertible facts.

It is simply unprecedented for a province in this country to tell its students where they can and cannot study. We, in every part of this country, have always seen the merits in having students enriched by studying outside their province, whether that be by having Quebec students study here or Ontario students study there.

How can the minister possibly justify taking this unprecedented step in limiting the rights of Ontario students to study elsewhere, and will she now withdraw her request made to Quebec and acknowledge that she made a terrible mistake?

Hon Mrs Grier: The member I think missed the point of my first answer, which was that all of the provinces, as part of a national action plan, have agreed to limit the number of undergraduates entering medical training. Each province is working towards completion of a national plan.

We have, here in Ontario, limited the number of undergraduates who can attend Ontario universities and we need to work with other provinces, particularly with the province of Quebec, to make sure that if we are reducing the number of places for new doctors in Ontario as a result of requiring training in Ontario, we do not at the same time train Ontario students in other provinces in the absence of knowing what the overall needs of physicians are.

Quebec, last year, moved to require that any doctor trained in Quebec work return of service for a certain period of time in the province of Quebec. In view of that, it was important to sit down and discuss with my counterpart how we could plan together. We did not ask the province of Quebec to not accept Ontario students. I agree with you completely that students in this country

need to be able to study wherever they wish and wherever they believe they will get the best education, but all of the provinces need to work together so that we truly have a national action plan to determine that the number of physicians who are trained meets the needs of the people of this country from one end to the other.

1440

CORRECTIONAL FACILITIES

Mr Allan K. McLean (Simcoe East): My question is for the Minister of Correctional Services and it concerns the November 7 report of the public institutions inspection panel of the county of Simcoe that I gave him last week. In its report, the panel said the recent closure of Camp Hillsdale has only added to the burden at the Barrie Jail, a facility which can only be described as obsolete.

Hon Floyd Laughren (Deputy Premier and Minister of Finance): Spend, spend, spend. You Tories are amazing. First is health care; now it is corrections.

Mr McLean: The panel really questions the reasoning behind the Camp Hillsdale decision, not only because of the extra burden passed on to the jail, but because of the function which Camp Hillsdale provided. Minister, will you do the right thing and accept the panel's recommendation to re-examine this extremely important issue?

Hon David Christopherson (Solicitor General and Minister of Correctional Services): I certainly agree with the honourable member that this issue and all those related to it are indeed very important. As the honourable member well knows, and as I mentioned to him when this issue was raised the other day in this place, we have a clear direction from the Provincial Auditor in last year's report, which I've heard his party stand up and be forcefully behind many times, wherein the auditor said to us that there are ways and means of running a more efficient system than we now have without in any way lowering the high level of safety and the priority of safety that we have in this province.

With regard to this particular closure, we are of course reviewing the report, as we would do in any event. But let me say again to the member that I do not agree that the closure of this particular facility will in the long term affect our ability to safely and efficiently manage the jail system in this province. Indeed, the \$1.2 million in net savings will go a long way towards ensuring that we don't have to look at other parts of this important ministry to find the kind of savings we need, that we're able to do it in a way that maintains the safety at a greater level of efficiency. That's the way you re-engineer government, not the chainsaw approach that the member and his leader have adopted.

Interjections.

Mr McLean: I want to say to the interjections from the Treasurer that his mentality of trying to run this province budgetary-wise is all wrong, because this institution of 51 was the lowest-cost institution in the province of Ontario. They close the ones that are the most economic to run and they leave the most expensive ones open. That's the way this government has been run.

The Simcoe County Inspections Panel said: "As the

closure of Camp Hillsdale is recent, any review must be carried out expeditiously before the bureaucrats mothball the facility forever. Reopening of the facility would both alleviate some of the overcrowding at the Barrie Jail—which is very expensive—and provide rehabilitation resources which are now non-existent. The economic aspects have been proven in the past through the supply of produce, poultry, cattle and eggs. The low-risk offenders are more hardened and dangerous. They are in with dangerous criminals.

I say to you, the people want this facility to be reopened because of the low cost it provided. I don't understand why the minister will not accept the recommendation from the panels that are making these very serious recommendations to him.

Hon Mr Christopherson: Again, as I said the other day, I have a great deal of understanding—indeed, respect—for the fact that the honourable member has a need to represent the people in his riding. However, as I said before, this government has an obligation to worry about the overall economics of this province today and into the future.

I would say to him that again we see an example of a member of the Tory party out there with the public talking about cutting the deficit, and about cost savings and always wanting to cut, cut, cut—until it affects your riding. As soon as it's your riding, "Well, no, we've got to back away because this is unpopular." We can defend this decision in terms of having adequate space in other parts of the system for facilities like this—very minimum security. When we talk about other parts of the system, we have other needs, but the honourable member I believe well knows that this decision is consistent with the auditor's report and can be very much defended in terms of providing the safest, most efficient jail system we can in Ontario.

WINDSOR CASINO

Mr Wayne Lessard (Windsor-Walkerville): My question is to the Minister of Economic Development and Trade and also the minister responsible for the Ontario Casino Corp. It has to do with the Windsor casino. In Windsor, we've seen the positive benefits of the casino project: over 2,000 direct jobs created in the casino itself, thousands more indirect jobs, increased economic activity and tourism. But I know there are some people in my community and across the province of Ontario who are concerned about crime as well. Madam Minister, I would like to know what steps have been taken in Windsor to control criminal activity.

Hon Frances Lankin (Minister of Economic Development and Trade): I thank my colleague for the question. I think it's a very good question. It is an issue of utmost importance, I think, to the people in Windsor and to people in other communities who are viewing the possibility of casino expansion in the future.

From the beginning, we built in very serious initiatives to deal with the issue of crime control and to build a capacity within the system to deal with this. For example, in the casino project team we brought in a number of OPP officers who, in consultation, I would say, with other jurisdictions, the US, internationally, have learned

a lot and have had their concerns addressed on things such as the building design, the money-handling systems, the auditing systems, the security systems.

As you know as well, in dealing with the city of Windsor, we were able to secure funding for it to increase the number of police on the streets. The outgoing chief of police has even indicated that from his point of view there's been a decrease in crime as a result of those coordinated initiatives.

So I would say there were substantial steps taken, they were important steps that were taken and it really was built into the system from day one. The government was concerned about this issue and shared that concern with the people, and I think together we have effectively dealt with it.

Mr Lessard: There were some fears that there would be an increase in criminal activity associated with the opening of the casino, notably a possible increase in illegal gaming activity. Minister, is there any evidence of such an increase of illegal gambling activity?

Hon Ms Lankin: In my first answer, I did indicate that the stats actually are showing a decrease in the amount of crime in Windsor at this point in time, and I think in part that's due to the increased police presence on the streets. I think it's in part due to the economic benefits of this kind of investment in the casino and a number of other industrial projects where we've seen people get back to work, and really good, solid planning.

The member, in his supplementary, specifically raises the issue of illegal gambling, and just recently, again the reports of the police are that there has been a decrease in activity. I guess one of the problems that had been experienced in the Windsor community was illegal card games and gambling—

Interjections.

The Speaker (Hon David Warner): Order.

Hon Ms Lankin: —houses that had been operating, and in fact, the security provisions that have been put in place have actually—

The Speaker: Could the minister conclude her reply, please.

Hon Ms Lankin: Sorry. I shouldn't pay attention to the members across.

The actual investments that have been made there, according to the Windsor police, have brought about a decrease in the amount of illegal gambling that was going on. I think people prefer to be in the legal opportunity of the casino that they have.

I think we have addressed these issues. We will continue to monitor them. There seems to be—

The Speaker: Would the minister please conclude her reply.

Hon Ms Lankin: Yes. I think we've been successful in ensuring the safety and security of visitors to the casino and the city, and of the residents of Windsor. Windsor colleagues call Windsor "the city on the move" and it certainly is. It also continues to be a safe city and we're committed to continuing to work with them on that.

The Speaker: Would the member take her seat.

PETITIONS

SALE OF BEER AND WINE

Mr Jean Poirier (Prescott and Russell): An interesting petition about wine and beer in grocery stores.

"To the Legislative Assembly of Ontario:

"Whereas large grocery stores and shopping centres are now allowed to open on Sundays;

"Whereas convenience stores have suffered a major economic loss due to the generalized practice of Sunday openings by the larger stores;

"Whereas small business is responsible for the creation of a majority of jobs in Ontario;

"Whereas there is a dire need for job creation in Ontario with the current high unemployment and welfare cases;

"Whereas convenience stores could profit economically and thus maintain and create jobs by offering the sale of beer and wine;

"Whereas Ontario consumers' attitudes now support, in the 1990s, the sale of beer and wine in convenience stores;

"Therefore we, the undersigned, humbly beg leave to petition the Legislative Assembly of Ontario to support legislation authorizing convenience stores to sell beer and wine to their clients."

I have 165 names from my riding and I'm very proud to put my name on this petition that I fully support.

1450

VENTE DE BIÈRE ET VIN

Mr Noble Villeneuve (S-D-G & East Grenville): I have a petition exactly identical to the one by my colleague from Prescott-Russell. It involves beer and wine in corner stores, particularly in those areas that are close to the Ontario-Quebec border. The petition reads as follows:

«À l'Assemblée législative de l'Ontario :

«Attendu que les grands magasins d'alimentation et les centres commerciaux peuvent maintenant ouvrir le dimanche ;

«Attendu que les dépanneurs ont subi une perte économique majeure dû à l'ouverture des grands magasins le dimanche ;

«Attendu que les petites entreprises sont responsables de la création de la majorité des emplois ici en Ontario ;

«Attendu qu'il y a un besoin urgent pour la création d'emplois en Ontario à cause du nombre accru de bénéficiaires d'assurance-chômage et d'assistance sociale ;

«Attendu que les dépanneurs pourraient bénéficier économiquement et ainsi maintenir et créer des emplois en offrant la vente de bière et de vin ;

«Attendu que les consommateurs de l'Ontario acceptent maintenant la vente de bière et de vin dans les dépanneurs ;

«Pour ces raisons et maintes autres, nous, soussignés, sollicitons humblement l'autorisation de pétitionner l'Assemblée législative de l'Ontario d'appuyer tout projet de loi autorisant les dépanneurs d'offrir la vente de bière

et de vin à leur clientèle.»

J'appuie cette pétition.

MEMBERS' PENSIONS

Mr Larry O'Connor (Durham-York): I have a petition here:

"We, the undersigned Canadian taxpayers, are pleading for the assent of a proposed bill to reform politicians' pension plans. MPPs must act responsibly and align their pensions more realistically with the private sector. Double-dipping, severance pay and voluntary resignation and collecting of pensions before age 55 must cease.

"We will not support candidates who are more concerned with furthering their own financial interests than protecting the interests of the average taxpayer and the security and the wellbeing of the nation."

It has been signed by many people, and I have affixed my name to it.

GASOLINE PRICES

Mr Frank Miclash (Kenora): I have a petition here signed by a good number of my constituents from Dryden, Sioux Lookout, Sioux Narrows, and it's even signed by people from Milton and Moncton, New Brunswick. It's a petition to the Legislative Assembly of Ontario which reads:

"Whereas the difference in gasoline prices between northern and southern Ontario has long represented a serious inequity between the two regions; and

"Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 and 20 cents a litre; and

"Whereas residents of most northern Ontario communities have no access to public transportation options and therefore are dependent on private automobiles; and

"Whereas 1990 NDP election promises to equalize the prices of gas across the province have not been kept; and

"Whereas" I, as the MPP for the Kenora riding, have "called upon the NDP government to keep their 1990 election promises; and

"Whereas the elimination of the motor vehicle registration fees for northern Ontario residents does not compensate for the excessively high gas prices in northern Ontario;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government of Ontario fulfil its election promises to the people of northern Ontario by equalizing the price of gas across the province."

I too have attached my name to that petition.

CLOSURE OF GOVERNMENT OFFICE

Mr Robert W. Runciman (Leeds-Grenville): I have a petition signed by approximately 30 residents of the village of Athens, petitioning the Ontario government to reconsider the decision to close the licence-issuing office in the village of Athens. I am affixing my signature in support.

ADOPTION

Mr Mike Cooper (Kitchener-Wilmot): I have a petition and it states:

"Whereas the right of adopted persons in Ontario to know their natural identity is denied; and

"Whereas the present disclosure system under the Child and Family Services Act is discriminatory, inefficient and expensive and government has demonstrated an inability to provide service in a timely fashion since 1979; and

"Whereas provincial government studies since 1976 have repeatedly recommended that adopted adults be granted unrestricted access to their original birth registrations; and

"Whereas there is widespread public and political support for these rights to be recognized and codified; and

"Whereas Bill 158, Mr Martin, NDP, Sault Ste Marie, has passed second reading in the House by a wide margin of 49 to 3 on May 12, 1994, and is now before the standing committee on social development; and

"Whereas this bill addresses the right of adopted persons to obtain their birth certificates and provides a mechanism for birth parents to register a veto prohibiting contact from the person they surrendered parental rights to; and

"Whereas 1994 has been designated the Year of the Family;

"We, the undersigned residents of Ontario, petition the 35th Parliament of Ontario to act without further delay and respectfully request that Bill 158 be put on the committee's agenda."

That's signed by hundreds of people from across Waterloo region.

The Speaker (Hon David Warner): Reports by committees. Introduction of bills.

INTRODUCTION OF BILLS

LANDLORD AND TENANT AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI
SUR LA LOCATION IMMOBILIÈRE

Mr Murphy moved first reading of the following bill:

Bill 202, An Act to amend the Landlord and Tenant Act / Projet de loi 202, Loi modifiant la Loi sur la location immobilière.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

Mr Tim Murphy (St George-St David): This bill is intended to speed up the process of evicting drug dealers from public housing projects like Regent Park and Moss Park and St James Town in my riding, and also to make sure the judges who deal with these evictions take into account that safety in apartment buildings is the most important factor, as well as that drug dealing is a crucial element to violent crime in our urban cities. I'm hoping the government and other members will support it. Eight months for an eviction, as it currently takes, is too long. We need to crack down on crack houses.

CANADIAN AUTOMOTIVE
MUSEUM INC. ACT, 1994

Mr White moved first reading of the following bill:

Bill Pr142, An Act respecting the Canadian Automotive Museum Inc.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

PARKWAY DELICATESSEN LIMITED ACT, 1994

Mr Phillips moved first reading of the following bill:

Bill Pr145, An Act to revive Parkway Delicatessen Limited.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

PAYS D'EN HAUT WILDERNESS
EXPEDITIONS LIMITED ACT, 1994

Mr Ramsay moved first reading of the following bill:

Bill Pr155, An Act to revive Pays D'en Haut Wilderness Expeditions Limited.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

I beg the indulgence of the House. We earlier called for reports by committees. As remarkable as it may seem, the member for Kitchener-Wilmot did stand and I missed him. I would ask that we have unanimous consent to return to committee reports. Agreed? Agreed.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON
RESOURCES DEVELOPMENT

Mr Cooper from the standing committee on resources development presented the committee's report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 165, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act / Projet de loi 165, Loi modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail.

The Speaker (Hon David Warner): Shall the report be received and adopted? Agreed.

Pursuant to the order of the House dated November 22, 1994, this bill is ordered for third reading.

1500

ORDERS OF THE DAY

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): Just before I call the order of the day, the order I'll be calling is government notice of motion number 39. The government and opposition House leaders have had some discussions about the debate this afternoon, and I think we've reached agreement that the government will take 15 minutes, 10 at the beginning and reserve five for the end of the debate, and the two opposition parties will split the intervening time. If we have the consent of the House, that's how we would proceed.

The Speaker (Hon David Warner): Agreed? Agreed.

Hon Mr Charlton: I'll be moving the motion and the Minister of Natural Resources will be taking the 10 minutes at the beginning for the government side.

TIME ALLOCATION

Mr Charlton moved government notice of motion number 39:

That, pursuant to standing order 46 and notwithstanding any other standing order in relation to Bill 171, An

Act to revise the Crown Timber Act to provide for the sustainability of Crown Forests in Ontario, the standing committee on general government shall complete clause-by-clause consideration of the bill on the first regularly scheduled meeting of the committee following passage of this motion. All proposed amendments must be filed with the clerk of the committee prior to 12 noon on the above-noted day. At 4 pm on that same day, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee shall interrupt the proceedings and shall, without further amendment or debate, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. The Chair may allow only one 20-minute waiting period pursuant to standing order 128(a);

That the committee be authorized to continue to meet beyond its normal adjournment if necessary until consideration of clause-by-clause has been completed. The committee shall report the bill to the House on the first available day following completion of clause-by-clause consideration that reports from committees may be received. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to be reported to and received by the House;

That upon receiving the report of the standing committee on general government, the Speaker shall put the question for adoption of the report forthwith, which question shall be decided without debate or amendment and at such time, the bill shall be ordered for third reading;

That one hour be allotted to the third reading stage of the bill. At the end of that time, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes and no deferral of any division pursuant to standing order 28(g) shall be permitted.

The Speaker (Hon David Warner): Mr Charlton has moved government notice of motion number 39. I understand that the Minister of Natural Resources has up to 10 minutes for his opening remarks.

Hon Howard Hampton (Minister of Natural Resources): I would like to speak in support of the government's motion that asks this House to set time allocation for third reading of Bill 171, the Crown Forest Sustainability Act. I want to briefly review some of the things that have gotten us here.

No one can deny the importance of our forests to the people of Ontario. Our forests employ over 200,000 people in the province and contribute about \$12 billion to the economy of the province every year.

Our forests are important for other reasons. Because of that, soon after we became the government, we put in place an independent forest audit committee to conduct an audit of forest regeneration of the boreal forests, the area of Ontario forests where most of the activities of our forest industries take place. The audit was important because it was the first independent audit that looked at

how well we are regenerating our forests in Ontario. It gives us some guidelines and some indicia as to where we ought to go to promote better conservation and better management of our forests.

Also, soon after we became the government, we established the Ontario Forest Policy Panel. That panel received submissions from over 3,000 people, everyone from forest products companies to environmentalists. They produced a report called the Diversity report, which outlines a new direction centred on ensuring the long-term health of our forest ecosystems. Based upon that report, the government adopted the policy framework for sustainable forests.

The government also established an organization called the Forest Industry Action Group. The Forest Industry Action Group was a tripartite body made up of the two major forest industry associations, the Ontario Forest Industries Association and the Ontario Lumber Manufacturers' Association, the Communications, Energy and Paperworkers Union, the international woodworkers' union of Canada and, finally, representatives of the government. That body produced a consensus report which is also part of the blueprint for the legislation we are debating here today.

Finally, we put together a conservation strategy for the old-growth red and white pine forest ecosystems for Ontario which also is part of the blueprint of the legislation which we are dealing with today.

After many years, the Environmental Assessment Board, regarding the class environmental assessment for timber management, reported in the spring and set down many terms and conditions and in addition a number of recommendations. The province agrees with the goals that the EA decision set for improving the management of our forests.

All of these processes involve days, weeks, months of consultation over many years. I think it's fair to say that the public of Ontario has never been consulted as much in the past about the state of our forests, about the value of our forests, about what we need to do to further conserve, protect and manage our forests so that we will have long-term forest sustainability.

Out of all of this consultation and out of all of these recommendations the government produced the Crown Forest Sustainability Act. The act was introduced in the spring at first reading, had second reading and went out for weeks of public hearings across the province. In fact, it probably had a more extensive travel schedule across the province than most other bills that have been introduced in the past few years. As well, the Crown Forest Sustainability Act has been before the general government committee since the House resumed sitting on October 31.

The bill attempts to respond to a number of challenges, and let me simply say what those challenges are. First is an economic challenge. Today a wide variety of competing uses are increasing the demands on areas which are sources of traditional timber supplies. That means there are greater demands on us for protecting our natural heritage.

To meet these goals we must address the needs of other groups for areas of land that people have considered productive forest land for harvesting. These competing uses put pressure on the sources of traditional timber supply. New technologies have also created whole new industries, to use forest products in different ways. These new methods have often been developed in response to the multiple demands on the forests. They include more efficient ways of using wood and ways of using tree species that were not considered for industrial use in the past.

New products have come into their own in the last 10 to 15 years. Markets for them are expanding around the world and Ontario is well situated to take advantage of those markets since we have an abundance of poplar and white birch. But if we are to have a system that enables us to utilize those resources we need some new tools in new legislation that will allow us to provide for flexible licensing and will allow us to ensure that we get best end use of the forest resource.

There is an environmental challenge and it's an important one. More than ever before the public is focused on what we are doing in our forests. In Ontario, like many other parts of the world, public opinion demands that natural resources, and forests above all, be protected and biological diversity be maintained. We have to address these public concerns about the long-term health and conservation of our natural resources.

1510

Environmental concerns about forests have become so important that it is clear we will not be able to sell our products on the international market without demonstrating that we are managing our forests sustainably. One need only consider the challenges that the province of British Columbia has faced over the last two years and the measures they have had to take in order to ensure that it maintains market access not only in Europe but in certain parts of the United States.

If we are to meet these environmental challenges, we will need new tools. The existing tools that we find in the 1952 Crown Timber Act are quite out of date. I think there is a consensus that the existing act has been stretched as far as it can be stretched in terms of dealing with environmental challenges and dealing with the economic challenge.

But there is a third challenge; it comes from aboriginal people who are demanding that we acknowledge their traditional ties to forested land. They demand that we respect the cultural and spiritual importance of forests to them, the importance of wildlife to them. They say that some of our crown forests must take into account aboriginal habitation, use and traditional practices. We acknowledge these concerns, and we acknowledge that we must work to achieve some of them; otherwise, if we do not, we will find an even greater problem on the economic and environmental fronts. The existing Crown Timber Act does not allow us to meet those challenges either.

We are in a position where we can actually increase employment in our forest products industries. We have received, over the last two years, over 30 proposals from companies that are resident in Alberta, British Columbia,

the United States and Finland, all of whom want to come to Ontario to invest, to create new mills that will take advantage of species that have not been utilized in the past; all of whom are saying to us, however, that they will require a more flexible licensing arrangement if they are going to be able to produce the products that are so much in demand and if they are going to be able to meet some of the other challenges that we are facing.

We are receiving important signals from the marketplace. If you look at forest industry investment in Ontario as compared to other provinces, in terms of productive forest land, we have led all other Canadian jurisdictions in terms of investment this past year. The projections for next year, 1995, are that our investment levels in terms of the forest products industry will be even higher, that they will surpass \$1 billion.

I think the markets are signalling to us that we are proceeding in the right direction and people like what we are doing. People from all over the world are prepared to come and invest in Ontario if we are able to proceed with the act which we have, if we are able to proceed in terms of responding to the economic challenge, the environmental challenge and some of the challenges which are coming from aboriginal people.

The act addresses all of these things. It puts in place a new forest renewal trust fund, the first in North America, which will guarantee that we will have funds set aside to renew our forests. It provides for more involvement at the community level in the planning of our forests. It provides a definition of what we mean by forest sustainability, and more than that, through the regulations and through the manuals, it provides mechanisms whereby we can achieve forest sustainability.

This matter has been before the committee for some time and before the House for some time. It is time to move forward.

Mr Frank Miclash (Kenora): It gives me great pleasure to rise and speak on the motion as well today. Closure: When we talk to the folks back home, we talk about closure. A lot of people won't understand that we're back here in the Legislature some five weeks late. When we normally come back in September, we did not get back until October 31 this year. We have some very, very important legislation before us. We have four bills that are being brought before the House, this being of particular concern to me as a northern member.

We noticed even the minister flipping through his many pages, not really saying exactly what he wanted to say. He only had 10 minutes for an opening statement. We have only one hour and 20 minutes over on this side of the House. So again we're rushing something through the Legislature which really needs some good study and some good thought.

I must say that as we travelled across the province—
Interjections.

The Acting Speaker (Mr Noble Villeneuve): Order, please. Order. The member for Kenora has the floor.

Mr Miclash: I must say that I was a part of that committee that travelled the province, and it was some extensive travel, but we did hear over and over again that

the people out in the forestry industry, the people who made their presentations to us, really felt that this legislation was being rammed through, that they really did not have the time they would like to have had to speak to the legislation.

As I indicated, we did travel extensively. We spent some time in the north, of course. We listened to the minister in his home town, Fort Frances, talk about the bill. We were in Thunder Bay and of course we were in North Bay and many other communities. You will know that I represent the second-largest riding in the province, one which truly depends a lot on the forestry industry, and it was interesting for me to hear the views at both ends of the province.

As I indicated, we started in the north and heard from the people who were directly involved in the industry, those of northern Ontario. As well, we returned here to Toronto and had hearings here in Toronto, here in the building, and we listened to the views here.

I was quite surprised to find out that the views did not differ across the province. We found that people in the north were not in favour of this legislation. They had a lot of problems with it, had a lot of questions about it, as we did when we got back here to Toronto as well. That is one thing that really surprised me. I thought there would be completely differing views in terms of the legislation, but we mainly found that everybody really felt that this legislation needed a lot of change.

I go back to my original point, that being under time allocation and being that it did not complete clause-by-clause in the hearings, we have to take a look at this legislation and really feel, as we heard, that it is being rammed through. We can only hope that we have been able to move forward, as the minister has tried to indicate that this is a forward movement. But I must say that we on this side of the House can only hope for that, as did a lot of people who made presentations.

You will know as well that my riding depends a lot on the forestry industry, whether it be the pulp and paper industry, whether it be the sawmill industry. I come from a family that goes back to the original roots of Boise Cascade, which is now Rainy River Forest Products, and the original roots that go back to the actual building of the plant in Kenora. I've been involved around forestry my entire life and it was very interesting, as I say, to get a little bit more involved and, as a former educator, to be educated myself in terms of the forestry industry.

What I'd like to do at this point is to go to some of the actual statements made by the people, particularly people from northern Ontario and, more important, from the riding of Kenora. I start off with some statements that were made by a group that was mainly from the Red Lake area. They're known as the Northern Forest Coalition, and we had a couple of people presenting to the committee, Mr Axford and Ms Goule.

They indicated that they had actually taken the position that "people who work in the forest traditionally, for a number of reasons, get very little say and very little involvement" in what they called "the timber management process." They felt that "as a result, there was a tendency to formulate extraction policies based on input

primarily from consumption officials, both private and public." They felt also that the policy was written by "default," and that has had "some dire consequences to frontier employment and investment." They were quite worried about what Bill 171, which was before the committee, would do in terms of their coalition and in terms of the people, as I say, on the front lines in the forestry industry.

They went on to say that they viewed the new legislation as necessary but that Bill 171 was "premature and lacking a philosophical and cooperative approach. It seems to be an exercise in control..." They went on to say that it does not really seem to be an exercise in compliance.

They talked about the compliance penalties and the potential of these penalties and the implementation of the compliance penalties. They went on to say that it just may be the straw that stimulates another round of shut-downs for a few more hardworking northerners. Again, they were saying that this legislation could be the straw that breaks the camel's back in terms of those people who are on the front line. The minister himself, who is in the House, will know that we have a lot of people out there who work very hard in the forestry industry and work very hard to make a living in northern Ontario.

1520

In terms of the trust funds, we heard a lot about the trust funds as we travelled the province, and I'd just like to read into the record as well what this group had to say. They indicated that, yes, they were in favour of some type of trust fund, and we know we heard a good number of views regarding the trust funds, but what they were really concerned about was where the funds would end up and how they would be distributed back across the province.

They really wanted some backup documentation on the trust funds and how they would be redistributed. They indicated that they were feeling the trust funds may be treated as were the fishing licence revenues and used for enforcement rather than enhancement. They were really interested as to whether the minister of the day could decide something in downtown Toronto and actually come out with the distribution of a trust fund that in essence would not benefit their operations in the far north, so really a concern there.

They went on to talk about the class EA process and they suggested that the proposed bill and its attached backup are most seriously and probably fatally flawed in the EA area. They suggested that the minister or the ministry had better go back to the drawing board and find out exactly how this had an effect on the EA process.

Something which was of great interest to myself, as it was to a good number of groups again, was the establishment of citizen committees. This was a group from Red Lake, as I indicated earlier, from a coalition that actually applauded the bill's efforts to drive problem-solving from a local area. They felt that was a good move in terms of the bill, but they felt that the dispute resolutions were still weak and they would want more of a definition as to what would come about using these resolutions.

They went on to talk, as again many other groups did, about a concern as to how the committees would be formulated and where people would come from to formulate the committees and what groups they would represent and how that would be decided. Again, a very important group to our area summarized by saying, "This legislation, Bill 171, should be tabled or withdrawn until the rest of the pieces are attached or until either the MNR or some other ministry is prepared to deal with socio-economics, exactly the way the EA rulings specified." That was their conclusion in looking at Bill 171.

As well, we heard from a forester, as we did a good number of foresters from various regions of the province. This forester was actually from Rainy River Forest Products, of course formerly known as Boise Cascade, in the Kenora-Fort Frances area. I must say this was one of the major employers in my riding, as it is in the minister's riding, a major employer for him as well. They employ some 1,500 people directly in both Kenora and Fort Frances, and pay nearly \$100 million in wages, salaries and benefits on an annual basis and more than \$6 million per year in municipal taxes, so just an idea of the very important contribution this company makes to our area.

They went on to say that in their view the proposed bill could be improved for the citizens of Ontario, the stakeholders, the government and the forest industry by simply allowing more time and dialogue to occur between and within the various parties. The minister indicated that there was extensive consultation taking place, but I must say that this was not the only time we heard that. The parliamentary assistant to the minister will remember that as we travelled across the province we had a good number of groups indicate to us that there was just not enough time.

Again, here we are today in time allocation, ramming this through with less than an hour and 10 minutes left to myself and my colleagues to get some very important issues on the table, and some very important concerns that we would certainly like to see addressed.

He went on to talk about the trust funds as well. He indicated that yes, this was something that was needed and had been needed for a long time. He had some concerns about the trust funds that he would have liked to have had some attention directed to, but in the very short period of time that this bill has moved around the province there was very little time actually to consider what these trust funds would do for the industry.

He went on to talk about the advisory committees too and how he felt that it was a way that Boise Cascade, or Rainy River Forest Products, had actually reached out to the people in both the Fort Frances and Kenora areas. He had indicated that these committees had already been formulated by their company and that they were very interested in some of the feedback. But he had some very positive stuff that he had to say and wanted to get across to the minister and hoped that his views would be taken into consideration. So there, from a forester.

The minister indicated that we had some presentations from first nation groups as well. He will remember, because he was there, the presentation by Chief George

Kakeway from a first nation in my community, the first nation of Rat Portage. He was accompanied by their tribal chief, Willie Wilson, who is the tribal chief of some 10 communities in the area. It was very interesting to hear what they too had to say and put on the record. Let me just quote some of their statements before the committee.

Chief Willie Wilson indicated: "In Bill 171, first nations are defined as bands within the Indian Act. This outdated piece of legislation in no way reflects our territories and our continuing jurisdiction of the lands and resources within the 55,000 square miles of Treaty 3." You can see a concern that he put on the record.

Hon Mr Hampton: Where do you stand, Frank? Tell us where you stand. Do you stand with Willie?

Mr Michlash: I'm indicating some of the things that were brought before the minister and some of the things that these people wanted him to take a close look at, and comments made by people such as Chief Willie Wilson, who happens to be a very respected chief in the minister's own riding, a very respected person in the minister's own riding. I would hate to say this, but to have the chief disagree with some of this government's policies could get him into hot water, but I know they won't admit to that.

Then he goes on to say in his comments, "If our treaty and aboriginal rights as outlined in section 35 of the Constitution of Canada were respected, we could work together and agree on how to manage the forest." What he is asking for here is some cooperation to work together.

He indicated, for the record, that they too—I indicated a number of other groups that we heard from across the province were opposed to Bill 171, as written—felt that they had not been consulted. This is what we heard from a good number of groups, that they wished for more dialogue, for more dialogue with the minister, who represents them in his riding. I have indicated a number of things that we as the committee heard specifically from my riding and from the minister's own riding in northwestern Ontario.

Going back to the fact that we have been allocated a certain amount of time to speak to this bill, I will give the floor to the next speaker.

Mr Robert W. Runciman (Leeds-Grenville): Just a few brief comments in respect to the motion we're dealing with, time allocation of the forestry bill: I think, Mr Speaker—you can correct me if I'm wrong—this is the fourth time allocation motion that we've been forced to deal with in four weeks of sittings this fall. It's a sad occasion, really, when you look at what's happened over the life of this government in respect to its efforts to curtail debate on very serious and important issues facing the people of Ontario. This is simply another example of it. I don't have the precise number, but I think this is the 20th time allocation motion brought in by this government during its life in office, four and a half years.

1530

If you just simply look at what happened with Bill 163, I think it was, earlier this week, yesterday as a matter of fact, a very important piece of legislation

having a very significant impact on communities right across this province, we had time allocation of one hour on third reading—one hour.

Next week we're dealing with time allocation on two other pieces of legislation. We're getting a grand total of two and a half hours per bill, two and a half hours to deal with extremely important pieces of legislation. When we talk about the long-term-care legislation, one that we've heard from thousands and thousands of Ontarians on in terms of expressions of concern, volunteer groups like the Red Cross and VON, as you know, Mr Speaker—I'm sure you're receiving those kinds of entreaties from constituents in your area as well as the rest of us in this assembly.

But the government has seen fit to only sit for a very limited time this fall. We had certainly the longest break from the summer to the fall sitting that I've experienced in my 13½ years as a member of this Legislature. Then we come back and sit for a grand total of I think it's 20 days, then we're breaking for an indefinite period, perhaps until an election some time next year, and we're being forced to accept very limited opportunities to debate extremely meaningful pieces of legislation.

What's the government's strategy in respect to this? It would appear that they don't want to face the heat or the critical scrutiny that they'd be forced to face if the House is sitting. They have no real agenda. It was indicated some months ago when a leaked document came out of the cabinet secretary's office, Mr Agnew, indicating that the government, the NDP, was going to have a very limited agenda, focus on a limited number of pieces of business and try to do damage control in respect to getting out in the public and trying to convince them that there's some merit in once again casting a ballot for the NDP.

I think that's a futile effort, but one that's going to cost us all millions and millions of dollars, as we see the government out handing out the cheques, government members. When we're not sitting on Fridays, you can always count, if you have a fax in your constituency office, 5:30, 6 o'clock on a Friday evening, we get these faxes pouring in from Jobs Ontario, NDP members in their ridings handing out cheques and making grand announcements.

Clearly this is a planned strategy, but one, as I said, that's going to be very futile indeed. The voters of Ontario made up their minds some time ago in respect to where the current government is going to go, and you're going out. I don't think there's any doubt about that, and if you really look closely at it, you'll accept that fate.

But it's surprising: The member for Etobicoke West and I were just having a discussion related to some of the members from the government side who come over and talk about their fortunes as they see them, and they clearly believe, in many instances, that they are going to be re-elected. I think that's a reflection of their naïveté, and perhaps it's a reflection of how voters generally are kind to less fortunate souls. In fact there's no question that the vast majority of members opposite are not going to be returning to this place, perhaps once we adjourn, if indeed we adjourn next week.

I'm not saying that trying to gloat over that fact or be arrogant about it in any way, shape or form. I don't know what my fortune is going to be at the polls come the next election. I have no real idea whether I'm going to be successful or not. But I think there's a clear message out there that this government and a vast majority of its members are not going to be re-elected. But that doesn't seem to have any impact in terms of backbenchers taking stands on issues like this attempt, another additional attempt, to cut off meaningful debate on very important issues.

Mr Chris Stockwell (Etobicoke West): On a point of order, Mr Speaker: Since they're moving closure on practically every bill we're dealing with, maybe this government could see fit to have a quorum in this place.

The Acting Speaker: Could the clerk check to see if a quorum is present.

Acting Clerk Assistant (Ms Tannis Manikel): Mr Speaker, a quorum is not present.

The acting Speaker ordered the bells rung.

Acting Clerk Assistant: Speaker, a quorum is now present.

The Acting Speaker: The honourable member for Leeds-Grenville may resume his participation in the debate.

Mr Runciman: I was talking about the futility of the government's efforts in its exercise and what it's doing in not having this House sit, not having members of Her Majesty's opposition afforded an opportunity to question this government on issues of the day through question period and through committees of the Legislature and through various other avenues that are available to us.

The government is cutting that off as well, cutting off those opportunities, cutting off debate in the limited time the House is sitting by motions such as this, but also cutting off opportunities on a daily basis, a weekly basis, for all of us on this side to raise those issues and concerns of Ontarians that are not being addressed by the government of the day, the NDP government.

Instead, they're out spending taxpayers' money, in effect borrowed money; as we know, this government is borrowing in the neighbourhood of \$10 billion a year to finance its programs. When they leave office, the government that succeeds them, whichever party it is, the Liberal Party or the Conservative Party, is going to be faced with something in the neighbourhood of a \$90-billion debt, with debt-servicing costs in the neighbourhood of \$8 billion per year—a scary thought indeed.

When the Conservative Party left office in 1985, we had a budget of \$26 billion. Through the spend-and-tax years of the Liberals and the NDP, we now have a budget in excess of \$55 billion a year. We get catcalls when we make propositions, proposals, like those that are contained in the Common Sense Revolution, which calls for cuts reducing the government budget to \$49 billion a year. The NDP and the Liberals say that's scary: \$49 billion, from \$26 billion that we were spending in 1985. We think the government can certainly be run very effectively and very efficiently on \$49 billion a year and we can get our books back in order and balance this

situation for the province of Ontario and lower taxes as well at the same time.

We're going to reduce the government by \$6 billion. We're quite clear on that if you want to read the book. But this government is doing things like—my leader, Mike Harris, today raised the question of spending by the government on its promotion of the tobacco bill. Who knows how many millions of dollars are being spent on that?

In January the Minister of Health is going to launch another initiative promoting the government in a new health card, which is going to cost the taxpayers another \$7 million. That's the kind of money this government is throwing out the window instead of coming to grips with the real problems and the real issues of this province including, in a very significant fashion, the spending patterns of this government. This is a shameful day, a continuing series of shameful days, in this Legislature.

1540

Mr David Ramsay (Timiskaming): I'd like to thank the member for Algoma-Manitoulin, who is our Natural Resources critic, for sharing some of his time and for all the work he's done on this bill. I had the privilege of being with him this summer for some of the committee hearings in northeastern and northwestern Ontario. We thought it was time well spent.

Unfortunately, we just thought there should have been more time listening to the public, but I know my colleague the member from Algoma-Manitoulin has been working diligently in that resources committee since the summer, in the Legislature here, and going over clause-by-clause of this Bill 171, the Crown Forest Sustainability Act.

It's very interesting to note, and I'd like to show the viewers at home, that basically the bill only makes up a few pages, but the regulations and the manuals that support this bill are this much material. Again I must salute our Natural Resources critic, Mike Brown, for going through this and sticking with this process. It's kind of sad that this process has been cut short.

It has been mentioned by previous speakers that this isn't the first time this process has been cut short through the invocation of closure. It's interesting to note that in our parliamentary history, invoking of closure was rather a rare and extraordinary device that governments used in order to precipitate the passing of bills. It was usually done in an emergency situation or after months and months of protracted debate that governments, being frustrated after that, felt that they'd have to go to that extreme.

I'm quite surprised that this is being done by this government, as it is known as being very good opposition when in opposition in this Legislature and would be very, very upset with closure motions or any type of time allocation. But this seems to be now the order of the day and that's what we're debating here, and in fact this particular government has used closure more than all governments in total up to this period of time. It's rather sad that we're at this at this point.

I want to use this time, though, rather constructively to

talk specifically about the bill that this closure motion is about, because as a northerner from the riding of Timiskaming I feel that this forest sustainability bill is a very important piece of legislation in the province of Ontario, one I'm afraid, though, that I don't see any support for from either environmental communities or forest communities out there.

That gives Mr Brown and I and Mr Miclash, the member for Kenora, great, great concern as northerners, because we depend upon the forest industry for the livelihood of many, many of our constituents. It's very important, and we believe it will continue to be a very important industry in northern Ontario.

To get to the start of this, this bill is called the Crown Forest Sustainability Act. One of the main problems we have identified in the bill is that the word "sustainability" is not defined in the bill and that's what's causing great concern to all sides in this particular argument.

Both people in the environmental community and the forest industry are greatly concerned as to why "sustainability" is not defined and what that means. Until we get that, we're not prepared to give passage to this bill. In fact we will be voting against this particular legislation when it does come before us for third reading.

The question is, what is forest sustainability? How will ecosystems be defined, and what is an ecosystem-based management? These broad concepts are being put into this legislation but they're not being defined, and like other new concepts in the public sector vocabulary, we do not have very definitive definitions as to what these things mean, so there's a lot of argument and a lot of concern.

I guess one of the points that the forest industry has been making to Mike Brown and to others in the committee is that in a very challenging international trade in forestry products, where countries, especially in Europe, are very concerned as to the sustainability practices of forestry in this country and other countries, they want to have some certainty as to what is the sustainable basis for forestry here if they will be welcome recipients of Ontario and Canadian forest products.

It is very important that we have very clear definitions as to what our forestry industry is and how it is to act in the forests of northern Ontario and all of this province. That's a great concern, as we have environmental groups in Europe lobbying against governments to boycott forestry products from provinces of this country, and we in Ontario certainly don't want to get into that particular situation such as British Columbia found itself in last year. That's one of our major concerns.

Despite all the purposes and definitions in there, the act does not define the concept of "forest sustainability," nor does the act indicate what type of forest ecosystem should be maintained within the management planning process. For example, the independent boreal forest audit revealed in its 1992 report that the composition of Ontario's forests is changing from stands dominated by softwood species to stands dominated by hardwood species. So what type of forest ecosystem should we maintain, the one that's growing up now or the one that was originally here?

Given the evolving nature of the forest, therefore, it's unclear how the concepts of sustainability and ecosystem-based management will be applied. We're very concerned about that because right now we're looking at quite a change in the products that our forest industry in northern Ontario produces.

I see the minister is here today, and of course he has been encouraging forestry plants to move on to oriented strandboard and other waferboard-type products that use what we used to call weed species such as poplar and aspen, so-called deciduous hardwood species, though they tend to be kind of a softwood, but where a lot of the market is evolving right now. This is kind of the concept we would want to understand. Are we talking about sustainability of new poplar forests that are growing up without the regeneration of the conifer forests? These things we'd like to have spelled out for us.

Another very important aspect of this bill is the forest renewal trust fund and the forest futures trust fund. This is with the new stumpage fee that's going to be set up to basically fund the reforestation of Ontario's forests.

Today my colleagues Mr Brown and Mr Miclash and I met with one of the former ministers of Northern Development and Mines, René Fontaine, the previous member from Cochrane North. One of the concerns the forest companies have in the Hearst area is that \$6 a cunit that right now would be contributed to the forest renewal trust fund in their opinion is not enough to sustain the forest at the rate of the cutting today. That's a very big concern, and over the years we've seen unfortunately with this government the reduction in the amount of money that is spent on forest renewal.

Part of that I believe is the government has a belief that more and more natural regeneration can take place, and of course most of us in this House would like to see that. In an ideal world we would believe there could be more and more natural regeneration of our forests, but until we know we've proven that out and we have basically tailored and reformed our cutting techniques and our harvesting techniques so that we can have more effective natural reforestation, we're very concerned about the budgetary cuts of, if you will, artificial or tree-planting reforestation as we basically rely upon it today.

The idea of the forest renewal fund is to make sure the industry and government are contributors, and I think that's correct. We want to make sure the private sector that obviously gains a living and a livelihood and a profit hopefully from activities in the northern forest is also a stakeholder in the future of our forest, not only for their companies' livelihoods but for the livelihoods of the people in northern Ontario such as my constituents in Timiskaming, who really depend upon the forest industry for their livelihood.

We have some great concerns about how much money is going to be going into this renewal fund. Will there be enough money from the annual crown dues assessed to the companies in order to make sure this fund is fully financed so that we'll have proper funding in order to provide replanting that's necessary for Ontario's forests?

As I said before, the government's record on reforestation is very poor in the last four years and we're really

having grave doubts that this particular forest renewal trust fund is going to supply sufficient funds to do the job that we think is there, because we need to have a little bit of catch-up involved in the cutting that we have done.

The forest industry has come before us, and also many of the environmental groups, and made presentations to an all-party committee this summer and through this fall session. Our great concern is, as I said before, that we don't seem to have any sort of consensus from any part of the industry or any of the stakeholders involved in the forest industry that they are supportive at all.

Our opinion from the Liberal caucus is that the government should be reviewing this act and should be taking into account some of the very constructive criticisms that were brought forward and the ideas that were brought forward in committee.

1550

Unfortunately, and I've confirmed this with our Natural Resources critic, I have not seen any amendments that came from any of the public consultation process that had occurred in August and September of this year, and that's really a shame, because we spent a lot of good taxpayers' money trying to consult with people about this bill. I would've hoped that the government had an open mind about this bill, and I guess the government had such an open mind it had some of its own amendments put forward, but I didn't see any that were generated from any of the public discussions that we had. It was kind of sad that they really weren't listening to what was going on.

We have seen, in the last five years, basically many processes that have tried to examine what has been happening in our crown forests, and I know this is a concern not just for northern members who really directly depend on the livelihood of the forest industry for our constituents, but I find with great interest as I travel through southern Ontario that people right across this province are very, very interested and very concerned about what's happening in our forests throughout Ontario.

It's looked upon as being a resource not for just us northerners but for the province of Ontario, and I suppose that even though we don't have rain forests, the great boreal forests of northern Ontario are in some small way looked upon as being a smaller set of lungs for the planet, just as the great rain forests of the Amazon are. So everybody's very concerned, not just as a source of wood fibre to feed industry, but also on the environmental side, that the boreal forest of northern Ontario also is a great resource to supply oxygen to the planet.

We have received comments from people from all over the map of Ontario and from all sides of the issue, and as I said before, there doesn't seem to be any type of coming together, any sort of consensus from the forest industry or environmental groups or any of the agencies that represent the different aspects of forest industry, both the pulp and the woodcutters. So we are very unhappy about this bill. We will be voting against it. We wish that we could spend more time in committee rather than having a closure motion invoked here in this House that basically puts an end to the democratic process.

Today we see the end of debate. We have this today and then after that there'll be an hour of third reading, and that will end this. This bill then will become law. It basically is going to be up to the forest industry to work in the future with the Ministry of Natural Resources to try to understand together and interpret what this bill will mean to the industry, as it's not clear. All we have to do is to hope that there will be an understanding in the future.

I wish I were not part of a Legislature that would pass a law that is going to leave such uncertainty for the future, but that's the way this government wants it. We have to hope that there will be tremendous cooperation between the ministry and the industry in working out some of these concerns that are not there today, not spelled out, so that we can have a sustainable forest industry in the future; for the livelihoods of not just my constituents and the constituents of all the northern ridings, but for the people of Ontario, who understand that this is a very vital and important part of the economy of this province, that it is a sustainable industry, that it will provide jobs today and in the future for the people of Ontario.

We're going to have to just act in a bit of good faith here to make sure that we can come together and make this happen in the future. I hope that can happen, but our stand right now is that we don't believe it is there to make it happen with this particular bill. We will be voting against it.

Mr Allan K. McLean (Simcoe East): I want to thank you for the opportunity to say a few words this afternoon on this closure motion. I believe it's the fourth closure motion in the first 15 days of this sitting of the Legislature. I think the government said it would probably bring two in, maximum, during the course of the life of the NDP government. We have now seen probably about 19; I'm not sure whether it's the 19th or 20th closure motion. But it's something that's very unacceptable to us and I'm sure to the people of this province. Cutting off debate on major pieces of legislation is not something that the public likes to see happen.

Not only that, but we have had bills that have been deemed to have amendments passed, some 100 in Bill 163, that the people never had the chance to debate. Not only that, but Bill 163 travelled the province for about five weeks and had public hearings and had input from many municipal people, and then the government brings in well over 100 amendments and nobody had any input into those amendments.

To bring closure on a bill such as that, and this is the fourth bill this session, certainly shows us how desperate this government is to bring legislation forward and to try to tell the people of this province that it's acting in a manner which is appropriate for any Legislature.

Mr Len Wood (Cochrane North): Ask him about the three 20-minute recesses—

Mr McLean: I'm not so sure that the member for Cochrane North, Mr Wood, who's chirping away over there really knows what goes on in this Legislature. He's quite happy to sit there and debate closure motions, but I don't know why he's not standing up and debating this

piece of legislation that the closure motion is on, because I will want to read something into the minutes a little later about what he had to say in Thunder Bay.

The government claims that this bill that we're dealing with is a step towards sustainability. But sustainability is just really in its title. In many ways, the bill, Bill 171, that we're debating does not encourage sustainability, and it will take much more than simply saying it to make it happen. Much needs to be done if we're to make Ontario's forest resources truly sustainable, and paying lip-service to a vaguely defined concept only trivializes the work that must be accomplished.

The government does deserve credit for creating dedicated trust funds for the regeneration of our forests, something that we in our caucus have been suggesting for many years, and we're pleased to witness the creation of that. But we became sceptical when government representatives failed to present consistent calculations of the size of the funds. Estimates range from half to the same to slightly more than current levels. The trust funds are a crucial component to the regeneration of our forests for the enjoyment and utilization of future generations and, as such, must be more reliable and predictable.

Another main criticism of the bill is the fact that it is riddled with "minister may" clauses. The discretionary power that is left in the hands of the minister has raised considerable alarm with environmentalists, communities and the forest industry. Perhaps a common thread with these groups is that neither knows where the other stands, and once the picture does become clear, uncertainty still remains because the terms of forest management agreements may be changed with very little notice.

While in some areas Bill 171 is an improvement over the old Crown Timber Act, it is flawed in so many others that it is not worth implementing.

I had a call the other day from Mr Murray Lockhart, who is the enforcement officer in the county of Simcoe dealing with the bylaws with regard to tree management in the county, and his major concern was with subsections 58(1) and (2). I'm not so sure whether the committee even got to that section in the bill, and if it did what changes were made. Section 58 is entry on private land. It says:

"(1) Subject to subsection (2), an employee or agent of the ministry and any person accompanying him or her and acting under his or her instructions may, at all reasonable times and on producing proper identification, enter and inspect private land for the purposes of this act.

"(2) An employee or agent of the ministry or a person—any person—"accompanying him or her shall not enter a room or place actually used as a dwelling without the consent of the occupier except under the authority of a search warrant issued under section 158 of the Provincial Offences Act."

Crown timber means timber on lands vested in Her Majesty in right of Ontario and under the management of the minister or timber that is the property of the crown under the management of the minister on other lands.

Those are some of the articles that are in dispute, and section 58 is one of them.

The Northwestern Ontario Trucking and Logging Association has sent a letter with regard to their concerns with Bill 171. It says:

"Bill 171 has been misleading, portrayed to the public as legislation dealing only with crown forests on crown lands as defined under subsection 2(1), 'on land vested in Her Majesty in right of Ontario.' Private property owners, farm associations nor any other groups representing private land interests have been informed of the true contents of this bill as it applies to regulation of private property, so the leader of the official opposition should be requested to demand that Minister Hampton withdraw all sections of the act and accompanying regulations pertaining to private land immediately or delay passage this legislation until Ontario property owners have been informed of the true contents of this bill and allowed a reasonable time frame to comment on the same." This is the Northwestern Ontario Trucking and Logging Association.

1600

They're also concerned with regard to subsections 58(1) and (2) of Bill 171 which allow ministry employees at all levels, it says: "to snoop on any private land at any time for any purpose of this act. This is an unprecedented piece of legislation for invasion of private property. The ministry officials do not have to show cause or prove grounds for suspicion of any infraction or to produce any search warrant. They can merely say they thought there might be stolen timber on the property or they want to examine the two pine trees that were growing on your lot that the crown may own from a reserve in the original patent from the crown.

"So my understanding is that only the surveyor, under the Surveyors Act, has anything close to resembling that type of authority for entry, and the present Crown Timber Act does not contain anything resembling section 58 of Bill 171, contrary to the remarks of MPP Len Wood at the hearings held to examine this legislation in Thunder Bay on August 25, 1994."

The Acting Speaker: Order for a moment. I'm advised that we have some very distinguished visitors in the members' gallery to the east. We have here with us today Dr Carlo Fiorini, the mayor of Veroli, Italy, accompanied by Mrs Fiorini and the vice-mayor, Mayor Novelli and guests. Benvenuto.

Mr Anthony Perruzza (Downsview): On a point of order, Mr Speaker: *Remarks in Italian.*

The Acting Speaker: The member for Simcoe East may resume his participation.

Mr McLean: There's some more to that letter from the Northwestern Ontario Trucking and Logging Association, but I think that I really said it all with what they had indicated was contrary to the remarks of their MPP, Len Wood, at the hearings held to examine this legislation in Thunder Bay on August 25, 1994. So obviously there are a lot of other people who don't agree with the government on this legislation.

The Ontario Forest Industries Association's presentation to the standing committee on Bill 171, just briefly, agrees that: "New legislation is necessary to replace the

outdated Crown Timber Act, legislation that will ensure that Ontario can sustain a healthy forest industry for the benefit of all. A healthy forest industry is contingent upon some basic requirements, and they are healthy, sustainable forests, secure tenure, a healthy investment climate and healthy partnerships with government and other users of the forest." It says, "Unfortunately, Bill 171, as written, does not provide for any of these requirements."

So there's another very strong association, the Ontario Forest Industries Association, from northern Ontario, which totally disagrees with this piece of legislation.

The Conservation Council of Ontario had made a presentation at the committee and talked about the views that they have. They said, "Therefore, the Conservation Council of Ontario is unable to endorse the Crown Forest Sustainability Act."

I wish some of the government members would get up and tell us what organizations did support this piece of legislation. Obviously, there couldn't have been many. The public hearings were broadly held, and my understanding is that some of the government members perhaps are not overly enthused about this piece of legislation either. We see the government bringing in another closure motion. With all of these people opposing what it's doing, the government says it is listening. They say, "We are consulting." If you are consulting and listening, why then are we getting letters such as we are receiving here today?

When I talk to Murray Lockhart on the phone and he gives me the reasons that he is opposed to this piece of legislation, I have to bring that to the floor of this House and put that on the record. Really we're dealing with a closure motion today, but the closure motion has to do with one of the major pieces of legislation, and that's Bill 171, that is going to be on the books of this province forever unless somebody in future comes along and amends it. I know the Conservation Council of Ontario and the Ontario Forest Industries Association are going to want to see some changes happen.

But the minister said that the key elements of the new legislation include—for the people who are listening, it says they want to establish a strong compliance mechanism and stiffer penalties for non-compliance, including fines of up to \$1 million for causing serious environmental harm; making sure forests are regenerated to meet improved standards for forest renewal and that renewal is planned before harvest; planning for the whole forest, not just timber as a crop; and managing for water, wildlife, fisheries, vegetation and heritage values of forest ecosystems; and ensuring that money is set aside as a forest renewal trust fund for planned regeneration when any harvesting is taking place.

They want to establish a local citizens' committee to give people living in communities who depend on forests for their economic stability a greater say in how forests are managed and provide independent audits of government and forest industries so people know how their forests are being managed. That's the aim of what the government wants to do, but it does not appear to be what these organizations are saying.

I wanted to read some of the fines. For failing to comply with an order to stop work causing environmental damage, it's up to \$1 million. Fines for other offences will range from \$10,000 to \$100,000. There will also be administrative penalties ranging from \$2,000 for a minor offence, such as failing to provide information, to \$15,000 for harvesting without a licence. If the penalty's \$15,000 for harvesting without a licence, you can certainly take a lot of timber valued at far greater than that \$15,000.

Anyhow, I wanted to say a few words on this closure motion brought through by Mr Charlton, which is going to limit debate. I am sure that in committee they deemed the balance of the amendments passed. People now will not have any say in the clause-by-clause that has been done in this province. This will be another bill that will receive third reading sometime next week. We totally object to these four closure motions.

1610

Mr Michael A. Brown (Algoma-Manitoulin): As we debate this motion, it's a very sad day in this Legislature. I would tell you that this particular time allocation motion is one of the most arrogant acts by an arrogant government over a very arrogant bill. I would suggest to you that this government, without a mandate, has run out of ideas and is here today in this place ramming through a piece of legislation that is badly flawed, is bad legislation, and that the government itself knows it.

But the government of Bob Rae doesn't believe in democracy in this place. I want to take members through the process that we've been through on this bill because this bill, to any independent, fair observer, has not received the attention that it deserves and the attention it needs.

This is an important, significant piece of legislation. This affects the livelihood of literally thousands of Ontarians, most of those in northern Ontario, but the livelihoods of Ontarians even in southern Ontario.

You know, Mr Speaker, the forest products industry employs more than 60,000 people in this province. The crown forests cover somewhere between 80% and 90% of this land mass. Under this piece of legislation, which is one of the most permissive pieces of legislation we will ever see in this province, we might as well call the Minister of Natural Resources milord, because the imperial authority of the Minister of Natural Resources has been heightened, increased beyond belief.

This act, Bill 171, is but 86 sections. You would wonder why it may take a long time to review 86 sections. Well, I'll tell you, this is a permissive act. It is an act that permits the Minister of Natural Resources the widest discretion without limitation than any act this Parliament has ever seen. To inform members, this is what we're dealing with. This is what we've been considering. It is not just the 86 sections here, it is the over 1,000 pages of regulations and manuals which, by the way, are changing almost daily.

The minister, in this particular bill, has the authority to change many of the sections and the enforcement provisions of this act almost unilaterally—well, not almost.

Unilaterally, he can change it and at the very worst what the minister must do is receive cabinet approval through an order in council. As members know here, orders in council just churn out of the cabinet room. Members of the Legislature do not have an opportunity to debate them. Members of the Legislature cannot have input, cannot say, "No, we don't think that's a good idea."

The minister and cabinet can decide to change a regulation and virtually none of us ever knows. It may be a sad state, but it's a state of reality. The minister doesn't come and make an announcement in this House that he's changing a regulation—not at all. It happens almost under the cover of darkness. This Legislature has no opportunity to review that.

So milord, the Minister of Natural Resources, the imperial authority of the north, will decide what he believes is sustainability. He will decide what is good for the forests of Ontario.

As we go through the act, I want to tell you that the opposition has been most accommodating to this government. This bill, Mr Speaker, as you would know, was introduced on June 1, five months ago. The opposition supported this bill on second reading going to committee. We did that with a little less than an hour's debate in this Legislature. In other words, the opposition wanted to get on with this because it's important, it's significant and we have to understand as legislators what we're doing with this bill.

The first thing that happened was that the committee was assigned four weeks to do its work over the summer. The government phones up and says, "Gee whiz, it would be better if we started a week later." The opposition agreed, "Fine, if that's what you want." Then, two weeks later, the government decides, "No, we'll go back to the original schedule." Again the opposition agreed.

The opposition agreed with the government on the places that the committee would sit. We went across northern Ontario, in the northwest and in the northeast, for two weeks. We spent a week here in Toronto hearing what the public had to say about this bill and then we started the clause-by-clause on this bill for merely a week. When you consider that the committee had to deal with a thousand pages of manuals and regulations, and we're now informed by the ministry that there are further guidelines coming down the pike, that isn't a lot of time.

This government chose not to come back according to the parliamentary calendar. This government chose to give up five weeks of the fall session of the Legislature so that it could do whatever it's doing. I'm not sure why they would want to do that, but they did not come back here. That meant this bill was not in committee, it was not debated, it was not reviewed for five weeks, which would normally happen under the normal legislative process.

Here we are. I think we've had three meetings. We spent maybe 12 or 13 hours in committee dealing with this bill this fall, and the government has the almighty arrogance to come in and tell us that the opposition is being obstructionist, that we've got to have this done and we've got to have it done now. That is unacceptable to the opposition and should be terribly unacceptable to this

government. If this government had really wished democracy to occur, we would have sat those five weeks. We would be done.

We have to date at committee gone through 75% of the bill. I believe when we adjourned the other day, last Thursday at 6 o'clock, we had dealt with 63 or 64 sections. The total bill has 86. Given the thousand pages of manuals, given the complexity and the importance of this bill, I think government members should be totally ashamed of ramming this bill through the Legislature today.

There have been some minor improvements made through the committee process. I don't think you should get real excited over there on the government side about them being very major, but there have been some minor, minor improvements to the wording of the legislation and in some places to the intent. That's how the committee system works.

As a matter of fact, and I know you'll be very surprised to know this, Mr Speaker, last Thursday, after the government had hoped this bill would be long gone out of committee, it presented three more amendments to the bill. Three more. If we weren't still there in committee, they couldn't have passed. They couldn't be dealt with.

Even stranger, the closure motion does not permit committee-of-the-whole review of this bill. This House, as is our custom, will not have the opportunity to review this bill clause by clause. So what's going to happen is it's going to be ordered for third reading, and on third reading, the government House leader, by this motion, has allocated all of one hour to the debate; one whole hour to the debate.

That's 20 minutes per party to affect 80% to 90% of the land in the province of Ontario, to deal with 60,000 jobs, 60,000 people and their families who directly get their livelihood from the forests of Ontario. Twenty minutes per party. I would ask the government members to think about that. This is an important bill, it is a significant bill, and the minister has said so.

I want to talk for a second about the environmental groups and the environmental part of forest sustainability. You would think that when you're talking about sustainability and you want to talk about it as more than a buzzword, as more than part of the 1990s lexicon, if you wanted to talk about it in a meaningful way, you would do what the environmental groups that came before us and, as a matter of fact, what industry groups when they came before us, said, and that's, "Define 'sustainability.'" A rather radical concept, I guess, but they thought the bill's title should be defined in the purpose clause of the bill.

1620

Do you know what? That didn't happen, wouldn't happen. The government had decided some two years ago, commissioned what it called the Diversity report, which provided a definition. It provided a definition, maybe not the best one, but it provided a good definition. It was approved by cabinet. The cabinet of Ontario had approved it. Would the government put its own definition in the bill? People would be surprised to find out that the

government could not even live with or agree to its own definition that it had spent two years, much time, developing.

So I guess you wouldn't be surprised to learn that the following environmental groups support the government's legislation: There aren't any. There are none. This is from the government of Bob Rae. He has the support of no environmental group that I know of, certainly nobody who has communicated with me either directly or through the hearings process. They're all opposed. This is supposed to be about sustainability, and you have every environmental group that I'm aware of opposed to this legislation.

I could name just a few: The Federation of Ontario Naturalists is opposed; the Wildlands League is opposed; the Conservation Council of Ontario is opposed; the World Wildlife Fund is opposed; the Canadian Environmental Law Association is opposed; Northwatch is opposed; Earthroots is opposed; the Animal Alliance of Canada is also opposed; and there are many others. I can list the ones who are opposed. I cannot list any of the ones who are in favour.

I have here a copy of a joint release by the Federation of Ontario Naturalists and the Wildlands League and it asks some questions. It says:

"Did you know that Ontario is about to become the first jurisdiction in North America to pass a forest sustainability act? Did you know that this act does not require forests to be harvest-sustainable?"

Mr Stockwell: On a point of order, Mr Speaker: If this government continues to move closure, I think it should be obligated to hold quorum to hear the concerns that the members have expressed.

Interjection.

Mr Stockwell: I know the member from Woodstock would be in agreement with that because she's a believer in the democratic process.

Interjection.

Mr Stockwell: The democratic process says 20 members, and I know the cackler over there would agree.

The Acting Speaker: Could the clerk please check to see if indeed a quorum is present.

Acting Clerk Assistant: Speaker, a quorum is not present.

The acting Speaker ordered the bells rung.

Acting Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: The honourable member for Algoma-Manitoulin may resume his participation in the debate.

Mr Brown: As I was waiting for an audience, just before we broke for that, I was reading from a document that was produced by the Federation of Ontario Naturalists and the Wildlands League. It asks some questions. "Did you know that this act does not require forests to be harvest-sustainable?"

On that point, I think one of the most interesting comments, and it came from both industry, environmental groups, virtually anybody who read that, was that the old

Crown Timber Act of the early 1950s was superior in terms of sustainability because that act at least said that you had to have a sustainable yield. This particular act that we're debating today doesn't even suggest that you need to have a sustainable yield.

Reading on, it says:

"Did you know this act is presented as enabling legislation that allows for a huge degree of ministerial discretionary power, thus affecting enforcement and accountability? Did you know that the manuals that accompany this act still treat the forests only as a source of timber? Did you know that this act may prevent the completion of Ontario's protected areas system?"

This is what the environmental groups are saying. This is the party of Bob Rae. This is the leader of a party who, when in opposition, got himself arrested in Temagami. I know you remember that, Mr Speaker. I remember the pictures of Bob Rae protecting the forests of Ontario, getting unceremoniously taken into the paddy wagon and trucked off by the Ontario Provincial Police.

He was a committed environmentalist in those days. He was committed to the cause of all the groups that now are a little bit disappointed in Mr Rae's performance. In fact, Earthroots, the group which springs from the Temagami experience, referred to this act as a fraud, as a greenwash. That's what Earthroots said. This is Temagami, folks: Bob Rae's act a fraud, a greenwash.

I suppose that if all those environmental groups don't like this act, industry must. I mean, that's conventional wisdom. Guess what? That's not the case. As we crossed northern Ontario, as we went from community to community, we found out from those folks, the people involved, the people who have to work in the forests of Ontario, that they shared the same views as the environmental organizations.

They wanted to know what sustainability was. They wanted to know that their community would be able to continue, that the jobs in their community would continue. They wanted to know that the forests would be available as a renewable resource for their children, their grandchildren, their great-grandchildren, and that the economy of their area would be stronger and better for this act.

They came to the conclusion, after looking at it, the large corporations, the small companies, the independent logger, that this in fact did nothing to help their communities. In many cases they decided that this act was a detriment to their jobs and to their livelihood. To testify to that, we only have to speak about the comments of the municipality of Kapuskasing, the comments of Hearst, maybe even one of my home communities of Espanola. All shared the very strong concern that this did not in any way create sustainability. The government to date still refuses to define sustainability in the purpose clause of this bill so that we can know what that fancy word really means. The key word of the title, "sustainability," is nowhere to be found.

As a matter of fact, one of the major concerns of the forest industries association is that they think that if outside international bodies look at this act, read this act

carefully, they would conclude the exact opposite of what the minister has suggested. They would conclude that Ontario's forests are not being managed in a sustainable way and that therefore our products on international markets would be in big trouble.

1630

There are a number of processes going on all at the same time, and that's what makes us wonder what the absolute hurry is to get on with this act. Firstly, we know that the timber environmental assessment was recently—well, in the spring—completed and that it had, as part of it, a huge number of terms and conditions. Those terms and conditions were an assessment process that took years and years and years and cost millions and millions of dollars that determined what the proper ways to manage Ontario's forests were.

In this bill there is a good argument, and it is made by the Canadian Environmental Law Association and it is made by the Ontario Forest Industries Association, that this bill may trigger a forest environmental assessment; if it does, it will cost Ontarians millions and millions and millions of dollars and years and years in order to accomplish not very much, I would suggest.

So that's been happening. At the same time, the forest industries themselves have been working very hard at producing a green plan, producing operating plans for the way they do business, because they too are concerned not only with the environment but with meeting international standards and being able to prove to the international community that Ontario's forests are indeed managed in a sustainable fashion, and that process is ongoing. They have made remarkable improvements in the last five to 10 years in their practices and continue to do so.

At the same time, the federal government, in cooperation with the Canadian Council of Forest Ministers, of which this minister presumably is a member, is working with the CSA, the Canadian Standards Association, to come up with guidelines and specification documents to assure international purchasers that Ontario forest products are indeed produced in an environmentally acceptable fashion, that our resource is renewed.

So there we have it. We have the environmental groups saying: "The minister won't define 'sustainability.' We don't think this act does what the minister says it does. We think the very title of this bill is a fraud, a greenwash." We have industry sharing their concern. It is not often that we have two groups which often the public sees as at opposite ends and having opposite goals agreeing almost line by line with what should be done, and yet this is the case in this particular piece of legislation.

I want to suggest to members that the crown, the government, is also not telling the whole story when they talk about forests in Ontario. This is a Crown Forest Sustainability Act. In the Crown Forest Sustainability Act, you would be surprised to know that it applies not to all crown forests; some are exempt. It also applies to private lands in some instances, where there is crown timber on those lands. It also applies to private sector mills that are using privately produced wood.

I would suggest that on all counts this act does not live up to its billing. The only reason that a government would be ramming this particular piece of legislation through the Legislature in this very undemocratic manner is for election purposes. It's to say, "Hey, we're in favour of sustainable forests." Well, who isn't? But there is no real reason for the haste with which the government is acting today.

If you look at the Crown Forest Sustainability Act and look at the Crown Timber Act, and in that particular comparison you factor in the terms and conditions from the timber EA and you factor in that the famous trust accounts which we hear so much about are already in existence—

Interjection.

Mr Brown: They exist. The Legislature dealt with the part of this act that deals with trust funds last spring in an omnibus bill. They're there. What that means to the people of Ontario is that we do not need to pass this act in haste because the trust funds that everybody is so fond of talking about were agreed to by all parties and the legislation was actually passed this spring. That's done.

The timber EA puts down virtually all the conditions that the minister might think of as environmental in this act. Therefore we have a situation where, what's left? I'll tell you what's left. What's left is a debate over tenure which certainly hasn't gone on long enough. There is no consensus. I have the lumbermen come to me and they suggest that there are improvements that need to be made to the tenure provisions in this act. I have the pulp and paper people come; they believe there are significant improvements to the tenure sections of this act.

The government does not appear to be listening to either one, and yet we believe there's consensus out there that could be reached, because the failure of reaching the consensus will mean, could mean, that the people involved in using Ontario's forests to their maximum capacity will be prohibited because of the way the tenure sections of this act read.

I know in my own constituency I have people on a regular basis, mostly small jobbers, coming to me and saying: "How do we get into this? We have the equipment. We're running out of wood. How do we get into this particular business or at least maintain our business at the level that it should be?" I don't have any easy answers, and certainly this act doesn't help me come up with some answers for how that's to happen.

I know that mills throughout the province are having problems with wood supply at this very minute and they are having problems with the tenure provisions in this act because it doesn't provide the kind of flexibility that needs to happen, and the kind of open process. One of the things I think about tenure that is extraordinarily important is for people in communities and in business to understand how an allocation is made, why one company gets it and the other company doesn't. There is nothing in this act that provides for an open process where people can understand how it is that one company or one individual is chosen over another.

Another contentious area is the licensing. We look at

the licensing and we find that many people would like the portable sawmills all to be licensed. Others want exceptions. Some people believe that every mobile chipper needs to be licensed, and others believe there is no reason to license any of them.

We need to have the debate about best end use, which the government on many occasions has said, "This is not a debate we want to enter into," when we have raised that issue at committee. It does not seem to make a great deal of sense to send a 23-inch-diameter tree to the pulp mill instead of to the sawmill, where the chips would then be used but we would certainly supply Ontario with a lot of lumber.

1640

The industry is changing rapidly in terms of mechanization. There are great improvements going on out there and there's new challenges for government in this entire debate, but this bill does not resolve any of those.

I'm certain that if the government were to take some time to hold back from this railroad process to have this bill completed in this fall session—this shortened fall session, as you would know, Madam Speaker—and take the time, go out and chat some more with the stakeholders, it could resolve these commercial issues to the betterment of communities and workers in all parts of northern Ontario and, indeed, in all parts of this great province.

The minister and the parliamentary assistant are fond of talking about sustainability in terms of being defined by these massive regulations and manuals, and if we follow the manuals and we follow the regulations, we are to know what the minister really means by "sustainability." Well, we do know now—because we've asked questions, and that's the wonderful thing about the committee process—what that means.

We know that sustainability, to this government, means there will be less regeneration in the forest. The numbers are smaller than they were; there is no question. The ministry itself tells us there will be less money spent on regeneration, on tending, on all those things that make for a good forest. There's going to be less money spent on those, in spite of the fact that the timber environmental assessment called for more. But the minister's definition is "less is more." We're going to do less and we're going to achieve more. That is highly unlikely, but that is the minister's way of defining "sustainability."

It will also, remarkably, mean—according to the assistant deputy minister—that the forest will be more regulated; that we are going to have a larger bureaucracy; that we are going to have more people spending more time regulating what happens in the forest. I would like to believe that, in some ways, but in the fiscal constraints we happen to see ourselves in today, I don't think we can believe that. I don't think the minister is going to have the ability to put more people in the forest enforcing the laws. As a member in the mid-1990s, I wonder if anybody believes more regulation is actually going to work.

Interjections.

The Acting Speaker (Ms Margaret H. Harrington): I would ask members who are having private conversa-

tions to keep their conversations low.

Mr Brown: I would suggest to you that an act that provides for less reforestation, less actual work—the Treasurer shakes his head, no. But he should know, if he had been at the hearings, that your own ministry officials indicated you're going to spend less money on reforestation. There's going to be less done. There's going to be less artificial regeneration. That's what your ministry officials have told us and they have told us that there's going to be more regulation and we're going to spend money on bureaucrats. That is a remarkable statement for a government to make.

It isn't going to work. There isn't going to be enough money. Milord Hampton is not going to be able to extract from the fine Treasurer—or Minister of Finance—more money to actually do more regulation in the forest. These are the questions we have been asking over and over, trying to get some answers, trying to understand what these manuals that the minister has produced actually mean. What it means is: less reforestation, more bureaucracy and probably an international community that says, "If I look at those kinds of standards, I'm not going to certify Ontario timber or pulp and paper products." That's what those regulations actually mean. That's what this forest sustainability act actually says.

It doesn't deal with crown forests, because the ministry doesn't even really know what a crown forest is. I asked in that committee how many crown forests we have. You know what? They don't know. I asked them how many forest ecosystems we have in this province. You know what? They don't know.

This act is fluff, puff, greenwash, bad business. It is something that Ontarians cannot be happy with. It is something that could be worked on. The problem is an act that has been thrown together in haste. They had to work over the weekend in order to get the manuals out so the members could see them in time. They are being revised, revisited, on almost a daily basis. Members here are being asked to approve a pig in a poke. That's what it is.

Milord over there shakes his head. He's very happy with the ways things are going, but he knows, as the imperial authority of northern Ontario—

Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs): Explain to the voters. Are you in favour of the trust fund or are you opposed to the trust fund?

Hon Mr Hampton: Are you in favour of the trust fund or are you opposed to the trust fund, Mike?

Mr Brown: We have the minister again—actually, two ministers, the Minister of Environment and the Minister of Natural Resources—talking about a trust fund that this Legislature approved in the spring of this year. We're in favour of trust funds. We don't need this act at this time. The terms and conditions of the EA spell out quite clearly what needs to be done.

The improvements to this act, if there are any—and I guess we should give credit where credit is due. There is improvement to the scaling. Now, most Ontarians would say, "What are you talking about?" But we as northerners

know it is the way you measure wood so that the crown can get its fair share of its dues and buyers will know what they get and sellers will be convinced that they got the proper measurement and the proper amount of money for the lumber or the wood products they've brought to whatever it happens to be, whether it's the pulp mill or the sawmill. That's what that's about. We think there are improvements in that area.

There you go, Minister, I have found something that's an improvement.

I am going to conclude my comments at this point. I'm going to say to the government, do not go forward with this closure motion. Don't do it. I believe the committee has worked well. If the government had come to this House when it should have come to this House, the bill would have been finished. It has been debated carefully at committee. The opposition has tried very hard to have the government make improvements. We haven't got many, but we have tried very hard to make improvements at the committee because industry does not like this bill, because environmental groups don't like this. Even your friends in the unions have not indicated very strong support, if any support, for this bill.

I want to tell you, we will be voting against this draconian closure motion. We will be voting against it because it is not in the interests of the province of Ontario, it is not in the interests of my constituents in Espanola and along the North Shore, it is not in the interests of anyone to proceed in this fashion. This bill could be done well if we had another six months to a year to work out the tenure areas, the areas regarding licensing, and provide an environmentally acceptable definition of sustainability in the purpose clause, where it should be, so that the goals would be established, so people would know when they meet those goals.

It seems to me that what the government should have done here was define what the goals are and permitted more latitude for the people of Ontario to meet those goals. The forest industry, the people working in northern Ontario, want to meet those challenges. They want to meet them in the most cost-effective way. They don't want to be regulated to death. They don't want their forest to suffer because of lack of proper regeneration, and that's what this act does.

We will continue to oppose this act. We believe it isn't in the interests of Ontarians. Thank you, Madam Speaker, for permitting me this time to speak.

1650

Mr Chris Hodgson (Victoria-Haliburton): It's a pleasure to be able to address the House today on the closure motion that's before us. I just want to state from the outset that this party is very disappointed that the government felt it necessary to bring in closure. As has been mentioned before by previous speakers, the government decided to stay away from the regular parliamentary calendar and kept us away from the Legislature for up to four extra weeks, the reason being that there were only four major pieces of legislation and that was plenty of time to deal with it. It's very unfortunate that this is the 20th time since 1991 that this government has chosen to bring in time allocation, or closure, to public debate.

Interjection.

Mr Hodgson: I'm rather new at this, as people know, but as the Treasurer points out, they brought in closure this spring on Bill 91, which impacted upon rural Ontario, on the attempt to unionize the family farm. Now this fall we've seen four major pieces of legislation which will have a dramatic impact on the lives of people in Ontario.

Bill 163 deals with planning. That's a fundamental change to how this province will function in the future. It changes it from a market-driven process to a planning-driven process. Bill 173, on how we deliver health care, has major impacts on the lives of Ontario residents, and it changes with an ideological perspective that they need to own the means of production, that they have to own all the care delivery services in this province and change their incorporation and change their structure, instead of the government setting the standards and allowing for the delivery of services to be carried out by individual organizations that have historically proven their success at doing that. Bill 165 also saw closure, and now today we're forced with a motion that calls closure on a very important piece of legislation, Bill 171, which deals with crown forest sustainability.

When the government brought out the Crown Forest Sustainability Act back in June, we had a very short debate—I believe it was only an hour to two hours—on this bill at second reading. In our party we agreed to cooperate. It was an open process. We were briefed by ministry officials and we were very pleased at that.

This summer we started on public hearings, and it was well done. We had an extensive public hearing. We travelled throughout Ontario. The first two weeks were devoted to the north, both the northeast and the northwest, and I want to say that we had a number of delegations come before us that took time from their busy schedules to inform us on how this bill is going to impact on their particular field or in their communities.

We came back to Toronto and again had public hearings for another week, and then we had a week of clause-by-clause. Since the House resumed, we've carried on the committee work and we're at section 63. We're about three quarters of the way through, and there have been some improvements to this bill because of the clause-by-clause and because of the public consultation. Even as of last Thursday, I believe the government introduced three additional amendments which hopefully will improve this bill.

So what I can't understand is, why the rush? Why does this government wish to bring in closure—three hours of debate, two hours on the closure and another hour at third reading—for a piece of legislation which will literally affect the way communities operate and families in this province? There are over 60,000 people employed directly off the forest industries. I feel it's a disservice to the people of Ontario that they wouldn't allow for more public debate.

I can remember before I was involved in politics, Peter Kormos spoke for 17 hours himself on auto insurance. Surely the forestry industry deserves a public debate.

Hon Mr Wildman: That's why we changed the rules.

Mr Hodgson: The Minister of Environment mentions that they changed the rules. It sort of reminds me—

Hon Mr Hampton: If you'd been here, you would know why we changed the rules.

Mr Hodgson: It's kind of ironic that you would change the rules to limit public debate. The public send us to Queen's Park to represent their views and to have both sides of the issue discussed so that they can become more informed. If the government feels it is necessary to limit debate, what's the point of having this place?

I just want to remind the members, the committee work that we were on worked very effectively. There were time breaks because information had to be gathered. I can remember one instance in our committee hearings where we were talking about portable sawmills and exemption and we took a time out so the government could get its facts straight and it worked very well.

It was done in a non-partisan fashion, our committees, and I feel that they went ahead and we were making some improvement to the bill, because when this bill was introduced—and I followed the minister's statements on this very closely. There is a need to change our Crown Timber Act, back from 1952, and it's not very often that the Minister of Natural Resources gets on the legislative agenda to make a major change affecting how we harvest resources or how that ministry works. We looked forward to these changes as an improvement.

I come from an area where tourism and logging are very important; forest cover is very important to the tourist industry; and the multi-use aspect of forests in Ontario are very important to the people I represent and to a lot of the communities in Ontario. He talked about the economic challenge that faced this province in terms of the forest industry. We've chosen to go ahead with a forest model based on the whole environment, an ecological approach of a forest ecosystem, and we welcomed that along with industry representatives, along with environmentalists, along with consumers. Everyone was looking forward to a positive change to help our industry. Our industry suffered a tough recession and hopefully we wanted to make it better.

The minister talked about the economic challenge of the multi-use and we've got anglers and hunters, environmentalists, logging companies and jobbers that all need to share this resource of the crown forests. What I'm disappointed in is that the government would go halfway and have a good title, call it sustainability, but then not put any of the teeth in it that both the environmental groups and industry were calling for. They've struggled hard throughout the timber EA process. They've gone further, I think, than the government's gone in trying to get a consensus on a land use plan for this province.

There are some improvements in this legislation that we're in favour of. Trust funds were brought in under Bill 160, an omnibus bill. Our party's been calling for that for a number of years, and I think the people of Ontario will appreciate that the funds that come off the forest and stumpage and area charges will be dedicated to make sure that there are forests there for future gener-

ations and that there are jobs available for future generations.

We totally support that and it's unfortunate—I assume by now the government's already appointed a trustee. That was set up back in the spring and the number of funds will be dedicated and reported to the Legislature.

Hon Mr Wildman: We don't know whether the Liberals support it or not. They may well be supporting it.

Mr Hodgson: It's unfortunate that I'm not allowed to continue without the constant heckling from the front bench of the government side, but we supported that. The timber EA, those 120 recommendations, they had to be implemented; we supported that. The citizens' committees, getting more local involvement in the use of our forests; we supported that.

What's distressing is that we have a real opportunity here to make this bill better to work for future generations. The government itself is bringing out amendments in the last week to try to improve on this legislation, and I don't believe they have it right yet.

We've listened to a number of groups that have concerns about tenure, about the changing from agreements to licensing, and if we want to truly help and make what the government's claiming is an act that's going to be sustainable in terms of an ecosystem approach but also sustainable in terms of jobs associated with our crown forests, then it's important that we recognize that there are some factors that'll make our industry competitive with the international community, and that equals job security for these communities and the workers.

I believe the challenge is that we have to take our time and still work where the industry and the environmental groups and the local communities are involved, and try to make it so that there are standards and objectives that will be achieved by the word "sustainability", so that we have a benchmark which we can take around the world and say to the European market or to the American market: "Here's what a sustainable forest means. Here's the benchmark." We need better information in terms of GIS systems and inventories, and then show them this is how we're going to achieve sustainability in the future.

That's what the industry's working for. That's what the environmentalists want. I don't understand why the government didn't set those standards in this bill. It would have taken a little more time but surely that's necessary. There's the concern—

Hon Mr Hampton: Read the manuals.

Mr Hodgson: He says to read the manuals. The manuals, as you know, are over a thousand pages long.

Hon Mr Hampton: Take a speed-reading course.

1700

Mr Hodgson: We have read them and you can ask the government members in the ministry. I have taken the time and read those on behalf of my constituents and the people of Ontario. What's distressing about the manuals, and I can use just one quick example, and that's section 42, we're talking about the fees that come off the crown that we're due. The people of Ontario own the crown land and they want to be paid for the resources taken off

that in terms of stumpage fee. The way you do that is by the Scaling Manual.

We set out in the Scaling Manual a separate section talking about the ministry standards that will be subjected to. Then, at the end of that we insert a clause that says the minister may override that and do something else. The act is filled with "the minister may" statements. It's fine if you're the minister, but if you want this act to be truly sustainable for future generations, then you want to ensure that it's sustainable. Why would you exempt all of the manuals with "the minister may" statements? That's been brought up time and time again by numerous people who have appeared before us throughout the province.

When we discuss the bill in third reading, even though it's an hour's debate, I'll go into more detail on the exact bill, but I would like to go back to the reason why we'd have closure. Why would a government want to avoid public scrutiny of a major piece of legislation that it's constantly going to try to spin to the public as its campaign pledge to help northern Ontario? This government's Agenda for People promised a four-lane highway throughout the north—" \$100 million is going to be set aside to four-lane the north of our province." Four and a half years later I don't imagine they'll be running on that fulfilled promise.

I read last week in the paper: "Rae Woos Workers: Predicts \$1B Investment in Forestry." Now, the government is trying to spin that this new act is somehow related to the billion dollars in new investment. I'd submit that it probably has more to do with the market than it has to do with any particular workings of this government or this Legislature.

One could, equally plausibly, spin from a Conservative point of view that the reason why there's a projected \$1-billion investment in forestry is because we're going to have an election and the Conservative Party is going to form the next government. If we wanted to engage a bunch of high school students into spin-doctoring every little movement in the economy, we could do that. However, I believe that our time is better spent if we would have a public debate where the public could watch and understand for itself how this bill is going to affect its communities.

I have people who earn their living in forestry, the small jobbers, and they want to know: "How will this bill impact on our crown units? What resources will be available to bring auditing plans up to scratch to produce these five-year plans?" This would have been brought out in the public debate in the Legislature. There are a few of us who spent the time in the committee that heard it, but that has to be explained to the public in a detailed way and maybe improved upon with its input.

The government feels that somehow it doesn't need to have the scrutiny of this House on legislation. It's sort of like the movie *Apocalypse Now*. Their minds were clear, they knew what had to be done and yet they didn't want to bear looking at what the results of their policies were on the people of Ontario, so they put themselves in the dark to limit public debate.

The social engineers can see clearly that they want to change the Planning Act, they want to change how long-

term care and our health system delivered service in this province and they want to change the WCB, but they don't want to bear the public scrutiny of that, to see the consequences that's going to have on the families it affects.

I would have thought the government, with all its hype about this forestry act, would want to brag about it, would want to have extended hearings on it, have public debate to try to improve it so they could truly go out to the international world and say, "Yes, we have all products from Ontario coming from sustainable forests." At first in committee, and I've mentioned this in the House many times, that boast has to be backed up by substance.

We might be able to spin out for a little 30-second clip in an election campaign that we're for sustainable forests, but to meet the international market requirements that all wood products coming from Ontario are from sustainable forests. There has to be some proof, there has to be some substance, and that's all I think the industry was asking for, that's all the environmental groups were asking for, that's all the PC caucus was asking for.

The manuals are enabling legislation. We're not opposed to that. That will allow for it not to be a cookbook, as the minister likes to refer to it, but there should've been some goals set. For instance, back in 1929 we had the concept of sustainable yield. There's no place in this legislation where it refers specifically and says that there should be a sustainable yield. They've taken that out of the old Crown Timber Act.

Hon Mr Hampton: We've moved beyond that.

Mr Hodgson: They've moved beyond it, the minister says. They've moved beyond any reality. We're dealing in the land of spin.

Overall, I believe that this bill as it's presently written does not meet the economic challenge that has been set forward by the international community, it does not meet the economic challenge that I believe workers need to have job security in this industry and it does not meet the ecological challenge of having an ecosystem approach to crown forestry.

It does have a good title. It'll make a nice 30-second clip or a page in a brochure in an election campaign, but I don't believe it's going to meet the test of time unless we make some improvements to it, and those improvements, quite frankly, will take some time. The timber environmental assessment took a number of years, but they were getting close to a consensus in this province on how we want to use our crown resources.

The minister mentioned that the other challenge was the aboriginal question. This bill doesn't address that. This bill says in section 5 that it will not abrogate from any of the claims. In section 20 it talks about their ability to enter into a joint exercise of authority under this part. That just says they may; "the minister may" consult.

He talks about the environmental challenge. We've heard from numerous speakers today that the environmental groups, the people of the Canadian Environmental Law Association, feel that this legislation might lead to another environmental assessment hearing because the

first one just dealt with timber and this new act is to deal with more than timber.

Hon Mr Hampton: Do you agree with CELA?

Mr Hodgson: I would really hope that the minister's lawyers are correct when they assured us that there would not be an environmental assessment hearing after that. I don't know what they're backing that up with. I hope it's got some substance to it and it's not just more spin that, "Don't worry, be happy, this'll all work out."

Hon Mr Hampton: That was the Kim Campbell line.

Mr Hodgson: I see another party that's trying that line out itself that is probably headed for the same fate. I'm surprised that they would take their political lessons from Kim Campbell, but so be it.

Hon Mr Hampton: Be careful.

Mr Gordon Mills (Durham East): You can become an endangered species too.

Mr Hodgson: The member for Durham East talks about endangered species. I was wondering if he was applying to the minister for a licence to hunt Tories, as he was talking about last week in this House. They're going to have a quota on that.

Back to this bill. There's no need for closure. This bill should be debated in its entirety. There's time. They could've called us back five weeks earlier. I'm concerned now that maybe the government doesn't believe that there is any substance to this bill, as the groups that have appeared before us said, and that that's why they don't want it held up for the public's scrutiny.

We on this side of the House have tried to cooperate with the government, have tried to make improvements to it. It's a very important piece of legislation that should proceed in a timely fashion, but it doesn't need to have closure invoked upon it.

I'm surprised that a government in the last year of its mandate would invoke closure on four major pieces of legislation before the break. This House might not reconvene before the next election, and they're going to go to the people of Ontario and say, "This is what we've done," but not allowing any public debate on this particular important piece of legislation.

This affects over 60,000 workers, tourist outfitters, the public of Ontario; it's their crown land. We allowed over 17 hours of debate by one member on auto insurance but only one hour on this important piece of legislation that affects a large portion of the province and is of particular concern to rural Ontario.

1710

Connected to this bill, I'd just like to talk about another subject, and that has to do with the private forest lands. Twenty per cent of our wood that comes out of Ontario and goes to foreign markets or is used internally comes from private lands. In the hardwood species of veneer and higher-quality woods, it's about 40%.

What the minister has done—and I want to thank him for this; he's addressed the problem in a way—is come out with a private land sustainability act. He's put in \$2 million of resources to try to ensure that wood that comes off of private lands is sustainable.

Unfortunately, they've missed the underlying problem. The underlying problem is not for people who have the land and can afford to keep it. The problem is with the assessment. You can't afford to keep the land with trees on it because of the assessment. He's redeployed 50 MNR workers who go out and supervise this program. They're going to set up local citizens' committees.

Interjection.

Mr Hodgson: What we're talking about, Mr Minister, is that you're going to dedicate 50 MNR staff to administer a \$2-million program. If the average salary with costs is \$50,000, that's \$2.5 million to administer a \$2-million program. When the Minister of Agriculture, Food and Rural Affairs was asked at a recent Ontario Federation of Agriculture convention about the managed forest tax rebate on woodlots, his response was, "My ministry saves programs that help people in rural Ontario." I'm paraphrasing. "The Minister of Natural Resources chose a different route."

To meet their expenditure control reduction targets, they chose to cancel a program instead of reducing the size of their bureaucracy. At the time, we were told that it was because of tight fiscal times. They had to make ends meet and so they cancelled the managed forest tax rebate program which helped small woodlot owners and people in rural Ontario. They recognized the inequality in the assessment system, similar to farm lands, and had a way to make it so it was viable to grow trees to make sure that there was sustainable forest on the private lands.

This ministry missed the point on that and has brought out another bureaucratic forum to educate people who can already afford to own their land and have trees on how to make it better. They've missed the point that affording the land with trees on it is the underlying problem, not that they need to be told how to grow trees or replant them.

I'm surprised that you'd have 50 people in the MNR who could be redeployed. Quite frankly, if you had 50 employees whom you could redeploy, why wasn't that put towards the expenditure reduction targets set forth in 1992-93, as the Minister of Agriculture did?

Our party is on the record as supporting the managed forest tax rebate as a bandage until we change the assessment. I've heard a lot of howling recently about what the Mike Harris Common Sense Revolution would do in terms of rural Ontario. I want to just set the record straight. We're talking about \$6 billion in cuts over three years. They're clearly laid out. They're mentioned and itemized. If they're not there, they're not included, and there is no place where it mentions the Ministry of Natural Resources. It doesn't mean that we won't make it more efficient and make it work better for the people of Ontario, but we're not talking about cutting programs that help rural communities.

The underlying thing is that we've an opportunity at this point in our history with the Crown Forest Sustainability Act to make it better, to make it work for both industry and the people. Unfortunately, this government's choosing not to do that. They want to ram through closure when they have an opportunity, if they could take a little more time, to get a consensus on a land use plan

for this province that would be sustainable and would have targets that are met, so that we can show the international community that yes, all products coming from Ontario are from sustainable forests.

That's why I'll be voting against this closure motion. I would hope that before third reading—at the rate we're going, there are about three amendments a day every time we brought this motion before the committee—maybe there'll be three or four more amendments from the government side that might make it a little bit better. But we'll have to decline our support for the passing of this bill when it comes unless there are substantial changes in the next few days.

Hon Floyd Laughren (Deputy Premier and Minister of Finance): Chris, are you a Red Tory?

Mr Hodgson: In response to the Treasurer's comment, I would like to say that the best favour this government could give in terms of helping our forest industry in those communities is to try to improve the competitiveness, and that could be done by a tax reduction that we talk about, real WCB reform, not just sugar-coating, cutting the red tape and the regulations and allowing our industry to get on with it and meet the standards that they're setting for themselves in multiple use.

The Acting Speaker: Further debate? Is there any further debate on this motion before the House? Seeing none—there is further debate? I gather there is someone who would like to speak. Mr Wood.

Mr Wood: Thank you very much, Madam Speaker. I was going to just—

The Acting Speaker: I will allow the parliamentary assistant to wrap up shortly, but I will recognize the member for Renfrew North first.

Mr Wood: Okay. Thank you.

Interjections.

Mr Sean G. Conway (Renfrew North): Listen, I appreciate the forbearance.

The Acting Speaker: On a point of order, the member for Downsview.

Mr Perruzza: My point is simply this, and I just want it noted for the record: There have been times in this place where, when you've gone around that way, we've missed our turn, right? And I guess it should be noted in the record that there is a special provision that you're applying today in going back to the Liberal member and allowing him to speak, if you choose to do that.

The Acting Speaker: I want to clarify that we have to use our judgement. I did believe that there were further speakers on this motion and I did want to allow that little bit of leeway. I appreciate the member's concern. The member for Renfrew North.

Mr Conway: Thank you very much. I apologize for being at another place when this bill was winding down. The member from Victoria, whose remarks I was watching briefly, touched on some of the ground that I want to touch on. I'm glad to hear the Minister of Finance recognizing that forestry and the Crown Timber Act as we're revising it here are a very important part of the

economic life in the upper Ottawa Valley.

I have been concerned, quite frankly, as I know other members have, about where this bill has come to rest relative to where we all began. I have been struck by the hearings that took place over the course of August and September. The government began, and I know it was the expectation of the minister, that there might be a fair degree of consensus around certain of these issues. I was perhaps a little less sanguine than the member from Rainy River in that respect, but I think the government's enthusiasm was to be commended.

In listening to and in reading the transcripts of the summer hearings, I note that by the end of that process it seemed to be the case that near unanimity had been reached by the various intervenors as to the difficulties posed by the new bill. I think it is fair to say that a goodly number of the licensees, environmentalists and others who submitted briefs to the parliamentary committee looking at this bill were of a view that it was not supportable for, I gather, I say to my friend the esteemed member for Algoma-Manitoulin, a variety of reasons.

It is no small achievement for this minister, with this policy, to have brought the environmentalists and the Ontario Forest Industries Association together in opposition to the bill. I can tell you that in my area of eastern Ontario, in communities like Pembroke and Stonecliffe and Eganville and Palmer Rapids and Barry's Bay, this Crown Timber Act is about as important a public policy as one can find in terms of touching upon the daily economic life of thousands of Ontario residents.

They are concerned, in my part of Ontario, about the fact that the minister's policy is about as permissive a policy as it is possible to imagine. I think we have an obligation as legislators to be somewhat specific in terms of our intentions. It is true that a number of governments and a number of ministers over the years have offered up what might be considered bromides, but I have to say that this policy and this bill are about as open to interpretation as one could imagine.

1720

If I'm a small licensee in northern Ontario or in the Ottawa Valley, I might look at this and say: "What can I expect? What does this policy intend by way of new direction?" I just don't mean bromides. What does it mean in terms of specific new directions; what is the framework and what are the constraints it is going to impose upon me?

Well, I know this much: The Howard Hampton policy is going to increase a number of my costs. It is certainly going to increase stumpage; it is certainly going to increase regulation. That I know, but a whole host of other issues that I need to know, that will give me some comfort and some certainty as I consider investing in new plant and equipment or in considering new silvicultural or reforestation policies, I don't know.

I am told that I should read the manuals of administration. I look at the manuals and I see what I might only describe as the Delphic oracle. It can mean everything or it can mean nothing. That really worries me, particularly if I've had any experience with bureaucrats, whether they

were serving a Tory, Liberal or NDP administration.

I say to my friends on the treasury bench that it is not good public policy to leave so much open to bureaucratic or administrative fiat and interpretation. That is not going to give the good people of Dubreuilville or Alban or Espanola the kind of comfort and certainty they are going to want and need if they're going to continue to do what those of us who represent the natural resource regions of the province expect, namely, to continue to invest in economic growth and development.

I want to be very clear that there is, I think, a recognition on all sides that the old act needed a change, that the rules—I can tell you that forest operators in my part of eastern Ontario complain about some of the differential policy that allows certain practices, say in Algoma, and very different and sometimes much more restrictive practices in the Ottawa Valley. They say to me—

Hon Mr Wildman: That's changing, though, Sean.

Mr Conway: Well, my friend the Minister of Environment and Energy says that's changing, and I think it is, but what I want to be able to say to my people is, "This is more specifically how that change is going to affect you."

The difficulty I have and the concern I have as I stand here tonight is, if I were to go tomorrow to a meeting of the Renfrew county sawmillers in Palmer Rapids and face the question, "How is this going to specifically affect me? How is this going to change the way I do business in this part of Ontario?" I'd have to say this: "Your stumpage is going up. The regulatory framework is going to become more complex and undoubtedly more expensive and you are going to be expected to carry more of that cost."

I would also know, with some certainty, although the government hasn't advertised it, that there will be an ongoing devolution from the commissioner of crown lands, the sainted member for Rainy River, to the private sector. There is no doubt that this policy intends a serious and significant and costly devolution. That much I could predict with some certainty.

But beyond that, I would not be able to give very much guidance to somebody like a Gord Mills who, we all know, runs a very fine operation, let us say, in west Renfrew county or in the Rolph-ton-Stonecliffe area, and he's the only game in town. He employs 35 people, and if Gord Mills and company is not working, these people are going to be over to see Silipo to get some kind of social assistance. We don't want that, do we? We want those people working.

But it has to be said, and I don't know whether anybody in the pantheon of social democracy understands this, that if you're going to make an investment in new plant and equipment or an investment to shore up old plant and equipment, certainty around key questions must be provided to the greatest extent possible.

You know, when we see some of the things that the sainted Minister of Natural Resources has done, at least in my area, when we look at some of the intrusiveness, some of the theological rigour with which he has pursued his mandate, and we marry that to the wide-open permissiveness of this policy as set out in the manuals of admin-

istration, boy, it is not the stuff of confidence that will, I think, stimulate people to make those investments that we are going to need.

Hon Mr Hampton: They are.

Mr Conway: Ah, my friend says they are. Well, to some extent he's right. I could argue perhaps in a partisan way that it is the expectation of a new day about to dawn in the spring of 1995 that encourages those people to make some of those investments.

But I just simply want to say in conclusion that the bill, I think, is seriously flawed because it is too vague, it is too open-ended, it is clearly going to add to uncertainty I think in ways that are not going to be helpful, and I think it sets up some conflict and some confrontation that is unnecessary. It will also impose costs on people who are being told that in fact this bill was about to deliver something much more positive and much more warm in terms of its impact.

Hon Mr Hampton: More Liberal doom and gloom.

Mr Conway: Well, I leave my comments at that.

The Speaker: The member's time, unhappily, has expired.

Mr Conway: I want to congratulate my friend the member for Algoma-Manitoulin, the young John Robarts, for leading our party in a very important matter of public policy.

Mr David Turnbull (York Mills): I'm going to be very brief tonight. Last week, when I was about to stand and debate the bill which was supposedly called Clearing the Path, which spoke to, supposedly, the needs of small businesses in this province, about a minute before I rose to debate that, we found out that the government was going to lay down its third time allocation motion since we've been back in this session, which started on October 31. Today I'm rising on the fourth time allocation motion.

We have had 20 time allocation motions in the lifespan of this government, in four and a half years.

Interjection: That's a record.

Mr Turnbull: It is a complete record. One cannot help but cast one's mind back. I wasn't in this House, but I remember watching the Legislature and seeing Bob Rae when he was the Leader of the Opposition, and indeed the leader of the third party. He would always assure us that in fact they would respect democracy and that a new day would dawn for Ontario because they understood democracy and somehow they had a corner on truth and light and wisdom. They believed in substantive debate of all issues.

As I mentioned last week, at the time the closure motion on the workers' compensation bill was dropped on the table some one minute before I rose to debate Clearing the Path, I pointed out the fact that, in opposition, the member for Welland-Thorold had debated for some 17 hours. After the 17-hour marathon the now Premier, Bob Rae, went and embraced that member for his marathon effort in defending a position that an opposition party had which didn't agree with the government of the day.

I believe it is vital that opposition parties retain the ability to be able to oppose legislation that their constituents don't believe in and that indeed the vast majority of Ontarians don't believe in. That's the whole reason that we have the democratic process, that we have the checks and balances. But this government has had a corrosive effect on the democratic process, because it has introduced in this Legislature a system which has allowed it to virtually stifle all debate by the opposition.

1730

This is the 20th time allocation motion since this government took power and it is the fourth time allocation motion since we came back on October 31. At the time that the House rules were changed under this government, the government of the day, which restricted debate, the government House leader explained in very sanctimonious terms that this government would maybe use it once or twice during the lifetime of the government, yet this is the 20th time allocation motion.

When I rise today to speak on this time allocation motion, I'm not going to speak in any depth about the aspects of this bill, because this indeed is a bill which affects rural members and rural residents more than obviously it affects urban members. I'm speaking about the corrosive effect of this government on democracy.

We're some five weeks late in coming back to the Legislature and we're rising one week early. Surely if the government believed it was essential to get legislation before the House and passed before we rise for the Christmas break, it would have been appropriate to come back at the properly appointed time. If my memory serves me correctly, it was the New Democrats who always were most in favour of having a fixed legislative agenda, yet it is this government in fact that is showing the least respect for the concept of a fixed legislative timetable. We know it matters not a jot what the timetable suggests; they will move forward and they will do whatever they want in order to get their legislation through.

Let me just read some of the NDP time allocation motions.

Hon Mr Laughren: Chris, he's not a red Tory.

Mr Turnbull: I hear the Minister of Finance shouting that I'm not a red Tory. Indeed, sir, you're right. Indeed you are.

Prior to this time allocation motion, the last one was on November 22, which was the WCB bill, Bill 165, in which there was an enormous number of amendments introduced, not only by the opposition but by the governing party. There was a stack of paper about an inch thick of amendments brought by the three parties to this piece of legislation, which was truly flawed. In fact, the people who had come before us in committee had told us how flawed it was. Yet having brought in all of these amendments, the government said: "We're not interested in your debating in detail in committee the various amendments. We're going to deem them all to have been read, for the committee meeting to finish, and we're going to bring it back to the House for one day of hearings," which in fact was two hours and 30 minutes. Two hours and 30

minutes in third reading, with well over 100 amendments, and the majority of those amendments had not in fact been dealt with by the committee which was charged with the duty of viewing it.

On November 17 we had the time allocation motion on the long-term-care bill, Bill 173. Once again there were two hours and 30 minutes allowed for the House to analyse in third reading and debate in third reading all of the amendments that had been made, notwithstanding the fact that 95% of the people who came forward to the committee to make depositions didn't agree with the government's legislation. It didn't matter a jot. They simply brought in time allocation. The fact is, people of Ontario didn't agree with the government, so they were closing them down.

On November 2 there was a time allocation motion on Bill 163, the so-called Sewell bill. They were most generous this time. They allowed us three hours of debate on third reading, and there were innumerable amendments at that time.

The list goes on. June 8 we had the agricultural labour relations bill. They brought in a time allocation motion.

Mr Stockwell: Unionizing the family farms, you mean.

Mr Turnbull: Indeed, my colleague from Etobicoke West correctly rechristens it "unionizing the family farms."

The list goes on and on, and that raises a very interesting aspect about the whole of the carriage of legislation by this government. They have incredible people who name the bills that we have in this House. We should in fact have a minister of good titles of bills, because it's brilliant. There are not many things I will say of this government are brilliant, but they are brilliant at naming bills, because they talk about this bill in terms of sustainable forestry. How could you possibly disagree with a government that is bringing in a bill to ensure sustainability in forestry?

But does it do that? No. No, it doesn't do that. We have a bill which has, in addition to the bill, some 1,000 pages of regulations and various manuals attached to it, and yet they're ramming this bill through. We have no way of being able to analyse this in depth.

The government is losing out at almost every turn, in terms of its agenda, in terms of public perception. So what does it do? It closes down debate.

This bill clearly places too much power in the hands of the minister. It gives wide discretion to the minister and the various apparatchiks who work for the minister to be able to rule, as my colleague the member for Renfrew North calls it, by fiat.

There's a great danger. We know from history that all governments that have ruled by fiat eventually crumble and decay. Well, the decay has already set in to a very extensive degree with this government and they're desperately trying to get legislation through before they're swept away forever. It's going to be one small blip in the history of this province, but it will be a black blip. It will be one that people will look back at and say, "This is where we stepped back to very, very dark days,

before there was very much democracy in the world."

So we have a bill which utterly refuses to define what "sustainability" is in a purpose clause, which should truly be what we have in a purpose clause so that when somebody looks at the title of a bill, they can indeed understand what is meant. But we don't have that. We don't have anything satisfactory. So the government goes back to its old habit of closing down debate, the 20th time that they've moved time allocation in this Parliament, as compared with four times that the Liberals did in five years they were in office and three times that the Conservatives ever did it.

Gentlemen across, and there are a couple of ladies across the way, think about that. The Conservatives used time allocation on three occasions ever, ever, ever. But you indeed have used it 20 times.

Mr Stockwell: In this week they've used it more than the Tories ever did.

Mr Turnbull: Yes, that's true.

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Mr Stockwell: Last week, they used it as many times as the Tories did in 42 years in office.

Mr Turnbull: That's an interesting comparison. My colleague says that last week the NDP used time allocation as many times as the Tories did in all of their 42 years. With that, I will end. Think about it, folks.

Mr Stockwell: I appreciate the opportunity that I've been given to speak, specifically I think, in my estimation, to the time allocation motion. We must understand what is being time allocated before we can have what I think is a healthy and vigorous debate about the time allocation motion, and to understand what you're being time allocated, you have to understand how much time this Legislature—I'm sorry the minister is not here because I think he should hear this—has spent debating this piece of legislation, because when a government is going to go ahead and move time allocation, they're doing so because they're suggesting to the public out there and to the viewers watching that they haven't got cooperation from the opposition and they're stalling, filibustering, using all kinds of devious and underhanded methods to ensure a government doesn't get its legislation passed in this august chamber.

If that is the basis and understanding for why time allocation is a necessary evil in the democratic process, we then should look at how much time we as a Legislature have spent—and I say this to the members opposite so you have a good understanding about exactly what you're voting on here. We should have a good understanding about how much time we have spent debating this most broad and wide-ranging piece of legislation that will affect not just millions of people but millions and millions of acres of property in this province.

So you'd think that this kind of bill has probably been before this Legislature for maybe years. I know in some cases the Liberal Party and previous Conservative Party in government in fact had legislation before this place for years. In fact, years were spent in the process from first reading to when it was third reading, adopted; years, not weeks, not months, years. A lot of the reason was that

this party in opposition insisted on full and frank and open debate when it came to broad, wide-ranging changes in legislation.

Mrs Karen Haslam (Perth): Why are you yelling?

Mr Stockwell: I'm yelling because I'm mad, I say to the member from Woodstock. I'm very angry.

That was good, because that was the democratic process. During those periods of time some pieces of legislation were changed, and things that weren't good about them were removed. Changes were made in those debates that sometimes lasted two and three years. Now we talk about this piece of legislation.

The member for Lambton's upset. I apologize. I think I've woken her.

How long have we been debating this piece of legislation? This government introduced this in June; June of this year, in the last session. That's when they introduced this piece of legislation; first time anybody saw this, June of this year.

Mr George Mammoliti (Yorkview): Blah, blah, blah.

Mr Stockwell: The member for Yorkview, I know he's got some friends out there. He wasn't—well, I won't say it.

I know in June of this year it was introduced. So what happened in June? Everybody wanted to get cracking on this thing. You know how much time we spent debating this on second reading? I look across the floor. The member for Oxford, the wide-ranging, broad, understanding member for Oxford, who one day, if this party sits for 15 years, will be in cabinet, I ask him: How much time did we spend debating this bill for second reading? Do you remember?

No, he doesn't remember. One hour. That's how much time was spent debating this broad policy change and supplying wide, broad powers to the minister that have never been had before, one hour of debate at second reading, because we in opposition said: "This is an important bill. We have to get some input. We have to hear from the public. We want to be sure that this thing does do the things that you think it should do and we think it should do. Let's get out and hear from the public." One hour in June, second reading.

In the intersession, they had a committee. You know how long they met?

Mr Kimble Sutherland (Oxford): Yes.

Mr Stockwell: Now, the member for Oxford, he remembers this. That's why it's going to be 15 years for him, but he remembers this. In that intersession, we had three weeks of hearings around this province. This broad, wide-ranging policy decision changes—

Mr Turnbull: That's 12 days, isn't it?

Mr Stockwell: We had 12 sessional days to hear from the public and all those affected parties.

Then what did we have for this 83-section piece of legislation? We had four days to do clause-by-clause—four days. Then the House leader said, "Holy smokes," in caucus or cabinet, "look at how long we've spent on this. It's been, oh, a few hours. We have to have this bill. We can't let people just go on talking forever," although

cumulatively in total they had a member stand in this House for 17 hours on one bill.

We were allowed to debate this thing on second reading for one hour, and on third reading they doubled it. They gave us another hour. Two hours. Two hours of debate on this legislation, and you sit there and you tell me you must move closure because it's not moving along fast enough. Shame on every one of you and all the people that are affected by this.

They then have the nerve, when we go about this province travelling for three weeks to hear from the public, they allow one week for clause-by-clause.

Mr Mammoliti: Do we have to put up with this, Mr Speaker?

Mr Sutherland: How many hours in committee?

Mr Stockwell: Holy smokes. The member for Oxford's chiming in, "How many hours of committee?" Three weeks, Mr Member. Three weeks in committee, one week in clause-by-clause. There were pieces of legislation before you and I got here—I looked—that took two and three years to be processed through this place, because your government, your party, I'm saying to the member for Oxford, who I'm sure is next on the hit list to get into cabinet, I say to the member for Oxford, because your party insisted that it couldn't pass these pieces of legislation without it being on the table before the Legislature for two and three years.

Don't shake your head. Go look it up. As Don Cherry says, you don't need to be a rocket surgeon to figure that one out. I'm sure he could even do it.

Mrs Ellen MacKinnon (Lambton): Do you think Don Cherry knows what he's talking about?

Mr Stockwell: The member for Lambton says, "Do you think Don Cherry knows what he's talking about?" Nothing goes above her head, I'll say that for her.

The point that needs to be made is, this government, for the fourth time since we got back, because they couldn't get out of bed and come to work for four weeks, have moved closure of a bill, moved closure on another piece of legislation, and it's shameful that you, as Speaker, have to sit there and allow this abuse to the democratic process to continue. It's absolutely shameful.

I myself am absolutely ashamed of this government and our capitulation to change the rules, because I remember very clearly the House leader, Mr Cooke, said to us, "Only in extravagant, outrageous situations would we even think about moving closure," whereas on 20 separate occasions it became extravagant and outrageous enough that they had to move closure.

The most damning bit of evidence was offered up from the member for York Mills at the end of his speech. This party was in power in this province for 42 years. In 42 years we moved closure three times—three times in 42 years. In one week alone, they moved closure four times, and 20 times altogether. Now, they wonder—

Mr Mammoliti: On a point of order, Mr Speaker: I'm afraid the member for Etobicoke West is going to burst a vein or something. Could you get him a glass of water?

The Speaker: Water is on its way.

Mr Stockwell: They time allocate these motions. Then they have the nerve to stand up, like the member for Yorkview does, and interrupt you with a kind of silly, offhanded comment that he alone is allowed to give in this place because his party won't even give him time to answer questions or speak in the Legislature. That's shameful. If you're going to have the nerve to move closure, then stop interrupting when those salient points such as these—

Interjection.

Mr Stockwell: And the member from Woodstock, the ex—Woodstock. Is it Woodstock? I forget. I know the slipper fell out of her mouth and the prince picked it up. That's what I remember about her. The member across the floor keeps yacking at me during a closure motion when her government has allowed one hour of debate on second reading and one hour of debate on third reading. Have they no shame, I mean, absolutely no shame, to sit in this place and heckle a member opposite for the limited amount of time we're given to debate a closure motion before this Legislature? They have the nerve to stand up and move silly points of order and cackle like the member for Perth does.

1750

It's extremely frustrating to see these closure motions continue. They think that usurping the democratic process somehow shows how mighty a government they have. You know, there's only one thing that protects the people of this province from majority governments, and that's opposition. The opposition parties are supposed to be given fair and even treatment by the Speaker and the government.

We are put in this place representing constituents across this province who elected us. Whether you like it or not, they elected us and we are representing individuals and positions that may be different from the government's. The protection is that those in opposition be given the due process and the right to speak out against government decision-making. When a government like this goes about moving closure on 20 separate occasions, and four times in the last week, it does nothing but usurp and downgrade the democratic process which we were elected to protect.

I'm offended by this closure motion. I know the people who want to debate this are offended by the closure motion. I'm offended specifically because there is not good reason to move this. There was never good reason to move this.

Mr Perruzza: Chris, all I say is, shame on Derwyn Shea.

Mr Stockwell: I look at the member for Downsview. Mr Member, I remember you on local council. I think I remember you very clearly talking about members being quieted down and not being given an opportunity to speak. You were always defending the right to speak, as I recall.

I recall this government in opposition, defending people's rights to speak to bills and defending their opportunities and even having one of their own members stand in this place for 17 hours. That member stood here

for 17 hours on one piece of legislation. In total on this bill, this government is allowing all opposition members two hours of debate: one hour on second reading and one hour on third reading. If you don't see the hypocrisy in that statement, if you don't see the hypocrisy in 20 closure motions and if you don't see the hypocrisy in that kind of attitude, then I think you're not looking very hard and I say to the members opposite that I find it offensive.

The other fact that needs to be remembered here is that this is a government that represents 37.8% of the population; 62.2% is represented on this side of the House. That operation on that side of the house, which wanted to protect the democratic process in opposition, which had the nerve to get their House leader to stand up in this place and say things like, "We'll only move closure once or twice. We can't imagine it possibly being any more than that," then had 20 separate occasions where they moved it, and in fact moved it in this instance with two hours' debate in this place. That's unbelievable.

I look to the Treasurer. Two hours of public debate on a policy initiative like this and you think that's fair comment, you think that's good opposition, you think that's democracy? There are banana republics out there that give you more time to oppose them than two hours. That's the kind of thing you're giving us—two hours.

Hon Mr Laughren: How about the committee? What about the committee?

Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs): Twenty-five hours of committee.

Mr Stockwell: They talk about committee. What was done at committee, I say to the ex-Minister of Transportation? What was done at committee? We spent the time at committee hearing from the constituents across this province and hearing and addressing their concerns. You're supposed to hear from these people. Then you're supposed to spend time in clause-by-clause dealing with amendments offered up by all parties.

Mr Sutherland: They did.

Mr Stockwell: No, four days in clause-by-clause and a closure motion comes down from this government saying, "You spent way too much time talking about this," which was one hour on second reading and four days in clause-by-clause. How can you defend that, Mr Oxford? How can you defend that action? It's absurd.

The other insulting part about this whole debate is, this is the same government that won't come back to work for five weeks. They won't come back to work into this place for five weeks. This is the place where the people want us to be. This is the place where governments are accountable. You're accountable here, Mr Treasurer. Don't pretend you're not. This is where governments come; this is where governments are supposed to be to be accountable to the people, because you're accountable to us and you're accountable to the people who elected us.

This is the same government that's got the nerve not to come back to work for five weeks, not showing up to deal with the issues that need to be dealt with, which then says, when it finally shows up for work: "We don't have enough time to deal with everything. We've got to move

closure on four of the most important bills we're dealing with in this session." Then, as of yesterday, apparently of the 69 members they have, 42 weren't even here—42 members across the floor.

This government is not even a lame-duck government any more; it's a dead-duck government. It's not even a lame duck. They've got no new ideas. They have no new initiatives. Any piece of legislation they happen to have on the legislative calendar they simply move closure on. It's time to come back to work and they get lost for five weeks. They can't find their way back here, then they get mad at us for coming in, with two hours of debate, and say, "You're filibustering." We used 120 minutes to debate this bill and apparently, according to the House leader, we're taking too long, on 120 minutes. It's absolutely shameful.

Mr Sutherland: Don't forget the 100 hours.

Mr Stockwell: Then we've got Oxford back here telling us, "Oh, don't forget you went out on committee." Committee was to hear the people, Oxford, then we're supposed to debate it. No wonder you're not in the cabinet, for heaven's sake.

It's just so frustrating. They tell us we're having a committee hearing to travel the province and he wants to count that as time of legislative debate. We had one week for clause-by-clause to deal with all the amendments they bring, like on Bill 163, the Sewell commission report, that they moved closure on last week.

They told us, "Okay, here are 118 amendments to a bill, 118 amendments, and we're going to move closure on it," because the guy who wrote the original bill couldn't get it right, so they had to change the whole thing. Then they got mad at us because we wanted a few minutes to read them. Then they moved closure in this place because they say we're debating it too long. These people are complete and absolute incompetents, and the nerve of them.

Interjection.

Mr Stockwell: I hear the member for Perth cackling away over there.

Finally, we hear from this group on the reforestation issue at the end of the day and we hear from this government after no debate on first reading, one hour of debate on second and one hour on third that the House leader has the nerve to cackle across the floor that we took up too much time when it came to debate.

You know what, folks? You're in for a rude awakening, because as little time as you think you have for us, I'm going to give you a little tip: The electorate has less time for you people now. You're going to be thanking your lucky stars because you only had this opportunity to move closure. I'll tell you something: This is it. There's no more closure. Why don't you just call the bloody election and get this mess over with?

Mr Wood: I'd like to speak in support of the government's motion for time allocation on Bill 171, the Crown Forest Sustainability Act. I strongly support the Crown Forest Sustainability Act. With this act, for the first time Ontario will have a forestry act, legislation that looks at the whole forest, and we will be more able to develop an

ecosystem approach to forest management.

I believe the future of the forest industries is tied to this legislation. We in Ontario want to continue to enjoy access to world markets with our forest products, we want to expand our markets and we will have to be able to prove to the world we manage our forests sustainably. The Crown Forest Sustainability Act is the tool we need to demonstrate our commitment to managing forest sustainability.

I might point out that during committee, we went to places like Sault Ste Marie, Kapuskasing, North Bay, Thunder Bay, Fort Frances, Espanola and Toronto. During the last day of clause-by-clause hearings, I might point out that there were three 20-minute delays in an effort that the bill would not be coming in for third reading. These are delays that forced the government to bring in a time allocation motion, which we're dealing with here today.

As the parliamentary assistant to the Minister of Natural Resources, I've been taking the lead for the government in moving this bill through the legislative process since it was introduced for second reading in June. This is a valuable process. We heard a number of different views and suggestions for improvements to the bill and we responded to suggestions we've heard by introducing amendments to improve the legislation and to clarify the intent of some sections.

One of the areas that generated the most discussion was around the area of sustainability. Environmentalists and representatives from forest industries indicated that we need sustainability to be defined in the act itself. When we developed the legislation, we felt that the way to determine sustainability was at the management level, the first level itself, if you will, through the Forest Management Planning Manual. The public said that wasn't enough, so we brought in an amendment to put a definition of sustainability right up front in the legislation.

The act will now say that "sustainability" means the long-term health of crown forests. The act also defines "crown forest health" as the condition of a forest ecosystem that sustains the ecosystem's complexity while providing for the long-term needs of people of Ontario.

We went further. We said, "The Forest Management Planning Manual shall provide for the determinations of the sustainability of a crown forest."

We also outlined principles for determining sustainability and those principles say:

"1. Large, healthy, diverse and productive crown forests and their associated ecological processes and biological diversity should be conserved.

"2. The long-term health and vigour of crown forests should be provided for by using forest practices that, within the limits of silvicultural requirements, emulate natural disturbances and landscape patterns while minimizing adverse affects on plant life, animal life, water, soil, air and social and economic values, including recreational values and heritage values."

We developed the amendment after discussions with the environmentalists. As a result of these discussions, we

in fact want to go further and make changes regarding sustainability by amending section 66 of the bill. Section 66 is a section that commits us to producing manuals to guide forest management among other things. We want to amend the part of this section dealing with the Forest Management Planning Manual so that we will complement the changes we made to the beginning of the act regarding a definition of sustainability.

Unfortunately, the delays, as I said earlier, we've been seeing in clause-by-clause discussion of the bill have prevented us from proceeding with the important changes that we propose. That, for me, is a good example of why we need to move on with getting this bill through committee.

During the public hearings, representatives from forest industries indicated that the act may raise some uncertainty about tenure. We have discussed this issue with the industry representatives to assure them that this government fully recognizes that Ontario's forest products industries are vital to the economic health of the province.

As a member from northern Ontario and as someone who has worked in the forest industry for over 30 years, I certainly know the importance of the forest industries to the economic health of my community and the communities across the north. I might point out that as we've had this out in the public hands since June, there are hundreds and thousands of former workers throughout the province in northeastern and northwestern Ontario who have indicated to us that we should move as quickly as possible with this legislation so that it will become the law of the province.

The Speaker: Mr Charlton has moved government notice of motion number 39, a resolution which stands in his name. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 15-minute bell.

The division bells rang from 1805 to 1820.

The Speaker: Would all members please take their seats.

Mr Charlton has moved government notice of motion number 39. All those in favour of Mr Charlton's motion should please rise one by one.

Ayes

Abel, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooper, Coppen, Farnan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessenger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

The Speaker: All those opposed to Mr Charlton's motion should please rise one by one.

Nays

Arnott, Beer, Bradley, Brown, Caplan, Carr, Conway, Cunningham, Curling, Daigeler, Eddy, Harnick, Henderson, Hodgson, Johnson (Don Mills), Mahoney, Marland, McClelland, McGuinty, McLean, Miclash, Murphy, Offer, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Poole, Ramsay, Runciman, Ruprecht, Stockwell, Turnbull, Villeneuve.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 60, the nays are 34.

The Speaker: I declare the motion carried.

It being past 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1824.

ERRATA

| No. | Page | Column | Line | Should read: |
|-----|------|--------|------|--|
| 162 | 7963 | 1 | 37 | company that is up to its ears in POGs. Stanpac Inc of |
| 162 | 7963 | 1 | 41 | trade them and even use them in a game called POGs. |

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N° 164

ISSN 1180-2987

**Legislative Assembly
of Ontario**

Third Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Troisième session, 35^e législature

**Official Report
of Debates
(Hansard)**

Wednesday 30 November 1994

**Journal
des débats
(Hansard)**

Mercredi 30 novembre 1994



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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 30 November 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 30 novembre 1994

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS

TAKE OUR KIDS TO WORK DAY

Mr Charles Beer (York-Mackenzie): It's my pleasure to rise in the House today on the occasion of the first Take Our Kids To Work Day, an initiative created and organized by the Learning Partnership.

The Learning Partnership is a non-profit organization of business people, educators and community leaders whose goal is to create challenging learning and career opportunities for young people. The partnership works with schools and communities to create bridges between the world of work and the world of school.

Today, over 65,000 grade 9 students from 17 area school boards are making that voyage of discovery from their school to the workplace; a pathway to new learning, new challenges and better understanding of the opportunities and realities of the workplace.

At a time when concerns about education, the concerns of students, parents and educators, are too often front page news and not always good news, it is a pleasure to recognize an initiative which builds on partnerships, which celebrates our community strengths and which recognizes that our schools and our workplaces share the responsibility for ensuring that our children have a prosperous and interesting workplace to go to when they graduate from Ontario's schools.

I know that a number of members have students with them today. My colleague the member for Eglinton has Brendan Haley with her. I'm also pleased that my leader, Lyn McLeod, is participating in today's program. I would ask members to recognize all the students here with us today. Sitting behind the Speaker's chair is Reeshe Binda, who is spending his day with the Leader of the Opposition in the Legislature of the province of Ontario. I know we wish all of these students the very best today.

PORK INDUSTRY

Mr Noble Villeneuve (S-D-G & East Grenville): It is recognized throughout the North American agricultural industry that Ontario pork producers provide consumers with the best-quality product available anywhere.

In recent times, producers and processors have come a long way towards improving the industry. However, a recent severe price slump associated with an extremely large North American supply has brought to light some very major inequities faced by the Ontario industry.

While the national tripartite stabilization program for pork has been wound up, producers in competing provinces, especially the province of Quebec, have been receiving very generous government subsidies. Quebec has ignored an agreement among provinces to limit

additional subsidies for producers, with the effect that Ontario producers face severe losses while Quebec producers receive subsidies to remain in business.

We don't have a level playing field. We need one to maintain the industry. Our producers are more efficient than others, but that efficiency does not make up for the subsidies that their competitors receive. This government must eliminate the undermining of Ontario producers by other provincial treasuries. We need penalty clauses for provinces which fail to live up to agreements. Clearly, the Premier must address this issue.

This government should also work with the pork industry to ensure that Ontario pork has an effective price-protection mechanism in place similar to that for most other major commodities, such as dairy, grains, horticulture and poultry. Let's keep pork on our fork.

ALTERNATIVE FUELS

Mr Pat Hayes (Essex-Kent): I'm delighted that the Leader of the Opposition was in my riding recently to speak to a group of people in Tilbury.

During her visit, the honourable leader promised to lobby for a fuel tax exemption for ethanol. Very interesting. I would remind the honourable leader that this government has already removed all the fuel taxes from ethanol. This government has undertaken in writing to maintain this tax exemption for 15 years as requested by the Chatham-Kent ethanol consortium.

What we would like to see and what the folks of the Chatham-Kent ethanol consortium would like to see is for the federal government to give the same undertaking. Then the project could proceed. I would like the Leader of the Opposition to tell us whether or not she has indeed lobbied her Liberal friends to remove the tax on fuel ethanol, and if so, for how many years.

At the OFA convention last week, the leader of the Liberal Party claimed an NDP government would raise minimum wages to \$10 an hour. I am told that the honourable leader received this piece of intelligence from a reporter for the Toronto Sun. Has the Toronto Sun become the principal research for the Liberal Party?

When Bill 90 was debated in the House, we heard repeatedly from the Liberal opposition that the NDP was set to unionize all the farmers. Today, none have been organized.

It is obvious that the Liberal Party has no agricultural policy. They have promised to do many of the things the NDP government has already done. Imitation, as the saying goes, is the greatest compliment.

The Speaker (Hon David Warner): The member's time has expired.

Mr Hayes: Please keep up the praise.

1340

LONG-TERM-CARE REFORM

Mr James J. Bradley (St Catharines): In just a few days, Bill 173, an act dealing with long-term care in Ontario, will be forced through the Ontario Legislature by the NDP government of Premier Bob Rae. What began as a good idea, a necessary reform of an important aspect of the health care system, has headed into a direction that could be harmful to volunteerism in communities across the province.

By excluding organizations such as the Victorian Order of Nurses, the Red Cross and Meals on Wheels from all but 20% of the service, the government could see the number of volunteers in this field decrease, the degree of local control diminish, and the quality and quantity of care for seniors and others reduced.

To impose closure to end the important and necessary debate on this bill is an extremely unwise decision as the views of those who have worked in this vital field should be heeded, not only concerning the original provisions of the bill but also on the amendments submitted by the Minister of Health and by members of the opposition.

I call upon the government to withdraw the time-limiting motion and to agree to the proposal of the volunteer and private sector people who have played a major role in the delivery of long-term care in this year and in years gone by. Please leave the ideology in the cabinet room and listen to those who have been in the front line of health-care delivery in Ontario.

NON-PROFIT HOUSING

Mrs Margaret Marland (Mississauga South): Non-profit housing requires competent, dedicated and accountable boards to prevent the widespread mismanagement found by the Provincial Auditor in his review of the non-profit housing program.

It is alarming, then, that the Ministry of Housing dictates that by the end of next year a third of the board members of all non-profit housing corporations shall be residents. Voluntary resident involvement is a worthy and critical part of managing any housing project. However, to mandate that residents hold a third of the board seats can cause serious problems.

Consider Peel Living, the municipal non-profit housing corporation and the founder of non-profit housing in Canada. Every board member is elected, so the board is accountable to all citizens of Peel. Why would we want to move away from elected boards towards appointed boards? For the past four years, Peel Living has promoted and supported resident involvement, but most residents don't want to get involved if their building is well-managed and well-maintained. Peel Living, in fact, is the largest non-profit housing corporation in Canada.

Interjections.

Ms Evelyn Gigantes (Ottawa Centre): Bravo.

Mrs Marland: And I can hear the former Minister of Housing making her usual comments.

We must also remember the troubles of the Metropolitan Toronto Housing Authority where the board, while meaning well, did not have the necessary skills and experience to manage MTHA's complex affairs. Non-

profit housing requires professional management. Resident involvement should be voluntary.

The Speaker (Hon David Warner): The member's time has expired.

Mrs Marland: Finally, the province should not tell municipalities how to run municipal non-profit housing.

TAKE OUR KIDS TO WORK DAY

Mrs Ellen MacKinnon (Lambton): I would like to mention that today is a special day for grade 9 students as well as for many working people in the greater Toronto area. Instead of heading off to school this morning, approximately 65,000 grade 9 students accompanied their parents, relatives, and other adults to their workplaces.

The organizers estimate that about 5,000 workplaces have opened their doors to students for the day. This is the first event of its kind in Canada to involve students in workplaces on such a large scale. Take Our Kids to Work Day is a unique opportunity for young people to find out what their parents and other people do for a living and the knowledge and skills they need to do their jobs.

The program is modelled on successful programs in the United States and the region of Durham. It was organized by a non-profit group of educators, business people and community leaders called the Learning Partnership and sponsored by the ministries of Economic Development and Trade, and Education and Training, with corporate sponsors Bell Canada, Northern Telecom and Scotia-McLeod financial services. For the ministries and agencies that are participating it is an excellent opportunity to demonstrate the wide range of services that they provide to the people of Ontario.

I'm sure you'll agree with me that in our changing economy career education is more important than ever. By welcoming grade 9 students into our workplaces on this special day, we are helping them gain a better understanding of the working world and the need to stay in school and get a good education.

HEALTH CARE

Mrs Elinor Caplan (Orillia): Over the past few weeks we have heard Conservative radio ads as they desperately attempt to calm public fears over the damage their American-style revolution would inflict on our health care system and the pain their cuts would cause our seniors. Unfortunately for Conservatives, it will take more than a few weeks of commercials to end these fears.

People are scared because they remember that Mike Harris has spent his political career supporting and fighting for health care user fees. They remember that Mike Harris won the leadership of his party by arguing for a new tax on the sick. People are scared because they remember Mike Harris standing in this Legislature and voting against the Liberal ban on extra-billing in 1986. Yes, Mike Harris opposed the ban on extra-billing. He argued then that there was nothing wrong with the poor and the aged being forced to pay.

Ontario's seniors have a right to be scared. They remember how Mike Harris supported and applauded Brian Mulroney's move to claw back old age security benefits. They remember Mike Harris promising, in 1990,

the same with the province's sales tax credit. When Mike Harris, a political chameleon, boasts that now is not the time to cut back on health care funding, that now is not the time to introduce user fees, that now is not the time to further punish Ontario's seniors, I say listen carefully. Mike Harris isn't saying that he opposes these moves; he is simply saying they should have happened years ago. The public will not be fooled.

JUNIOR KINDERGARTEN

Mrs Dianne Cunningham (London North): As of September 1994, all school boards must implement junior kindergarten programs as required by provincial legislation. The Progressive Conservative Party believes that the decision to provide junior kindergarten should be made by local school boards, based on the community's needs.

The Minister of Education and Training received a letter from the chairman of the Carleton Board of Education, Carol Parker, dated June 28, 1994. Ms Parker stated that the Carleton board continues to feel the pressure of the financial problems facing the province and local taxpayers. In this regard, they again respectfully request that the mandatory policy for the JK program be reconsidered in light of alternative strategies for early childhood development. They made three resolutions:

(1) That the ministry change the legislation to make it optional for boards to offer the junior kindergarten program.

(2) Subject to consultation with parents and subject to enabling legislation, that the board reconsider its delivery of the junior kindergarten program for the next budget year.

(3) That the board request that the Ministry of Education and Training and the Ministry of Community and Social Services open discussions with the public to explore alternative ways of delivering educational programs to four-year-olds.

As well, last week my colleague Mr McLean from Simcoe East made a statement on behalf of the Simcoe County Board of Education requesting that the minister review junior kindergarten programs. Trustees have suggested that nursery schools are perhaps a more efficient and more effective way of delivering education to four-year-olds.

I urge the minister to consider the recommendations of both the Carleton and Simcoe county boards of education.

PORTUGUESE CANADIAN STUDENT FEDERATION

Mr Rosario Marchese (Fort York): I rise today to celebrate the formation of the Portuguese Canadian Student Federation, which will have its inaugural meeting this Sunday, December 4.

The formation of the Portuguese Canadian Student Federation is an important and significant step for the community. Students such as Tony Dias, Helen Aguiar, Celia Santos, Cina Marques, Dina Isabel, Manny Betten-court, George Silva, Katerine Ponte, Chris Ferreira, Paul Defreitas and Helen Pereira have worked tirelessly on this initiative.

The Portuguese Canadian Student Federation will encourage and promote the education and advancement of the Portuguese Canadian community. The federation will

strengthen the cohesion among individual Portuguese Canadian student associations. It will promote and preserve Portuguese culture and language. In effect, the Portuguese Canadian Student Federation will combine the resources to encourage partnership and harmony among the students, members of the Canadian Portuguese community and other ethnic communities. This federation will bridge the different generations in the Canadian Portuguese community.

I actively support and endorse the work of the Portuguese Canadian Student Federation. Only through the endeavours of our youth will we be able to fully utilize the cultural and economic potential of the Portuguese Canadian community.

1350

VISITORS

The Speaker (Hon David Warner): I invite all members to join me in welcoming to our chamber and indeed to our country a very special delegation which is seated in the Speaker's gallery. It's a parliamentary delegation from the Czech Republic, headed by Dr Milan Uhde, MP, chair of the Chamber of Deputies, and accompanied by His Excellency Stanislav Chylek, the ambassador of the Czech Republic in Canada. Please join me in welcoming our special visitors.

I would also invite all members to join me in welcoming to our chamber this afternoon, also seated in the Speaker's gallery, the Elections Ontario commissioner, Mr Warren Bailie, who is accompanied by two of his grandchildren. Welcome.

STATEMENTS BY THE MINISTRY AND RESPONSES

ECONOMIC OUTLOOK

Hon Floyd Laughren (Deputy Premier and Minister of Finance): I have today released the 1994 Ontario Economic Outlook, which shows that Ontario is on track for solid growth this year and over the medium term.

The outlook details our latest forecast, which shows real expansion of 4.5% in Ontario in 1994. Like private sector forecasters, we see Ontario leading the G-7 economies over the next four years, and expect average growth of more than 4% a year in that period.

To me, the most vital measure of our performance is job creation. The forecast shows the Ontario economy will create 570,000 jobs over the medium term. That will drop the unemployment rate to 7.8%. The rate has already fallen in 1994 to its lowest level in three years with the creation of 137,000 new jobs, almost all of them full-time, between February and the end of October.

The basis of this growth is confidence in Ontario as a place to work, to live and to do business. We have played a role in building that confidence by forging partnerships throughout the Ontario economy that have given it a solid foundation for growth. We are making growth sustainable with sound management that balances the needs of Ontario both today and in the future.

From the start, our first priority has been creating jobs, and our track record shows we're succeeding. Ontario is creating the kind of high-skilled, high-tech jobs that the global market demands for success in the 1990s.

We have achieved this goal by thinking and acting strategically and by building partnerships. We've given Ontario one of the world's strongest incentive systems for vital spending on research and development. We cut the employer health tax on new workers for their first year on the job, permanently creating 12,000 jobs. We are building the public assets that Ontario needs to compete globally, investing more than \$14 billion in capital in the past four years alone. We have created 65,000 private sector job opportunities, many for the long-term unemployed, with Jobs Ontario Training. And we have demonstrated a unique ability to bring together workers, businesses and local communities to work together for their common good.

We have also created a climate for growth by managing our own affairs wisely. We have cut program spending for two consecutive years, something that no Ontario government has achieved for more than 50 years. We have worked very hard and continue to work very hard to make sure that vital services are preserved and public sector jobs saved as we achieve these savings. With the economy expanding, now is the time to finish the job of putting our fiscal house in order. We must continue our commitments to more efficient government and to no new taxes so that today's growth helps to build tomorrow's successes.

In the next several weeks, my colleagues and I will be travelling throughout Ontario to talk to people about what they want to see in the 1995 budget. With the economy expanding, we are committed to making sure that everyone benefits from Ontario's continuing growth. We have to help young people get that vital first job, and continue to take down the barriers that keep people who are willing to work out of the labour force.

Only by ensuring that everyone shares in Ontario's growth can we achieve our vision: a revitalized Ontario economy that continues to create high-quality jobs. We know we can do it. Our investments have given Ontario the skilled workers and the infrastructure that an expanding economy needs. Most important, we see, and the figures in our Economic Outlook prove, that people and businesses across Ontario are willing to work as partners to create a better future for all of us.

Mrs Lyn McLeod (Leader of the Opposition): I will say in responding to the Finance minister's presentation of the Ontario Economic Outlook that we can indeed welcome some good news. The prediction of economic growth at 4.5% is indeed, finally, some good news. I think the people of this province need some good news after four years of the deepest recession this province has ever seen.

As much as I know that people in this province need to feel some sense of optimism about the future, I also know that this optimism has to be based on some sense of reality and some real sense of certainty about the strength of the recovery. I don't think the people of this province are feeling very much sense of security yet, because they have simply been too hard-hit by four years of complete economic mismanagement on the part of this government.

I suggest, as the Finance minister tries to present the

brightest parts of his Economic Outlook, that we look at the other facts that are also realities that are facing this province today; that we look at the other facts that are contained in this Finance minister's Economic Outlook.

The first fact that the Treasurer glossed over in his statement, for some reason, is that in 1994, even with the economic growth he is predicting, we will just get back to where we were in 1989. We have had no net growth for five years, five years where the province of Ontario has been going absolutely nowhere. We have been running, for five years, just to stay in place.

I would suggest that we contrast that with the rest of the country, because the rest of the country, in the meantime, over that same period of time has had real growth, substantial growth of some 7%. Again, compare that to what's happened in Ontario: zero growth in Ontario over the past five years—Ontario, the province that used to be the economic engine of this country.

The second fact from this document is that while the rest of Canada is running a trade surplus internationally, Ontario continues to show a trade deficit of over \$11 billion. Not only is Ontario the province that runs a trade deficit while the rest of the country runs a trade surplus, but this report shows us that Ontario's trade deficit has gone from about \$7.5 billion in 1992 to over \$11 billion in 1993. Tell me how that reflects real economic growth.

If the economic recovery is going to be sustained, we have to be more globally competitive. We have to have a government that does what it can to make sure that our businesses can be competitive so that we can be exporting; so that we can turn a deficit into a surplus; so that we can grow and create the jobs people need.

There is a third very startling fact that comes from this Economic Outlook, and I can understand why the Treasurer did not highlight that in making his statement. It has to do with jobs. I would suggest that no economic recovery is good enough until it is felt by the people of this province and that this economic recovery that the Premier and the Finance minister like to talk about has simply left too many people out: too many young people, too many people in Metro Toronto, too many people in northern Ontario, too many laid-off workers who are not getting back into the workplace. No recovery is good enough if it doesn't reach people, and while this Treasurer's recovery is clearly a statistical recovery, and we acknowledge that, there are too many people left out.

1400

We know, and this document tells us, that while the rest of Canada has seen job growth of about 235,000 since 1989, Ontario still today has 100,000 fewer people working than in 1989. There is another shocking fact that comes out of this document, and that's the fact that in 1994 there are going to be fewer jobs created than were created in 1993. In 1993 there were 79,000 jobs created. In 1994, the Treasurer tells us, there will be 54,000 jobs created, less than was in the budget figure. We are falling behind again, and we are falling behind in the area that counts most, and that's the ability to create jobs for people and to get the people of this province working again.

For the past four years this government, this NDP government, has dug a hole so deep in this province's economy that it will take us years of sustained economic growth to get out of it; it will take us years of sustained solid economic growth to get the people of this province working again. That won't happen until we have a government really ready to focus on what we do to make this a competitive place where people will invest.

Applause.

Interjections.

The Speaker (Hon David Warner): Order. The member for Don Mills.

Interjections.

The Speaker: The member for St Catharines with a point of order.

Interjection.

The Speaker: Indeed the member for St Catharines has a point of order. Is there unanimous consent for an additional five minutes for the opposition?

Interjections.

The Speaker: I heard at least one negative voice. The honourable member for Don Mills.

Mr David Johnson (Don Mills): Mr Speaker, I didn't realize it was so easy to get a standing ovation in the Legislature. Let's all clap one another. It is nice to see the Leader of the Opposition in the House, I must say. We all share in the joy to see her here.

I think today we are witnessing Floyd's last stand. This document has all the appearance of being a budget. It even has the same trees on the cover as the 1994 budget.

I'm delighted and the Progressive Conservative Party is delighted to see growth in the economy, no question about that. The minister has indicated that job creation is one of the key points of this particular outlook, and I must say I have to agree. Isn't it some achievement of this government that there are about 100,000 fewer people working today than there were in 1990? Isn't that an achievement to be proud of? Isn't it an achievement to be proud of that there will have been more new people employed last year than this year, that the rate of growth of employment is less this year than last year?

Those are the kinds of achievements we have with this particular government. Isn't it an achievement that we have the Jobs Ontario program? Isn't that a wonderful program? Isn't that the way to create employment in the province of Ontario?

But I was delighted that the minister mentioned the cuts in the employer health tax for new positions. Now he is singing our tune. I can advise the minister that if he really wants to create jobs in the province of Ontario, we have a plan to do that: Cut taxes, cut the red tape, do away with Bill 40, do away with the labour bill. If you really want to create jobs in the province of Ontario, look at what is discouraging employment in the province of Ontario: high taxation, the high cost of doing business, the red tape, Bill 40, the employment equity bill. These are the aspects of government that you have to tackle.

Our platform is to reduce the income tax, to reduce the employer health tax to zero for small businesses, to cut

the workers' compensation premiums. If you're sincerely interested in creating jobs in the province of Ontario, that's the kind of platform I can advise you to follow.

The minister talks about the climate for growth and the fact that this government has managed affairs wisely in the province of Ontario. I wonder what he's referring to. Is he referring to the fact that the debt in the province of Ontario has doubled under this government, from \$45 billion to \$90 billion? Is he referring to the achievement of this particular government that the total debt, including Ontario Hydro, including the unfunded liability of workers' compensation, including the unfunded liability of pension plans, is \$150 billion? Is that the achievement the minister is referring to?

Is he referring to the fact that in the operating budget this year there is \$8 billion for interest just to pay the debt and that four years ago the comparable figure was \$4 billion? It's doubled simply to pay the interest—not to pay down the debt of the province of Ontario but simply to pay the interest on the debt to keep the debt rolling over. Is that the kind of success this government has brought upon the people of the province of Ontario?

Employment growth this year is forecast to be higher. I believe it. The growth in the economy over the next four years is lower than the growth projected by the Ontario budget, yet the minister is forecasting that employment will grow. Even though he's not projecting that the economy will grow faster than the growth in the budget, he's projecting that the rate of employment will grow faster. Now, how can that be? We can't have it both ways.

We will not have growth in the economy sustained, we will not have employment sustained, until we cut taxes, until we cut the red tape, until we eliminate Bill 40, until we freeze Ontario hydro rates, until we eliminate all the burdens to business in the province of Ontario. That's what we need.

Mrs Barbara Sullivan (Halton Centre): On a point of order, Mr Speaker: We understand that today around 12:30 the Premier made an announcement concerning a drug program for people across Ontario suffering from catastrophic illnesses. We had hoped there would be a government announcement in ministerial statements with respect to what was in the announcement, who benefits, what user fees are involved, what cost is involved and what impact this announcement will have on the drug benefit—

The Speaker: No. The member does have a point of order to ask for us to revert to ministerial statements if there's unanimous consent. Do we have unanimous consent to do so?

Interjections.

The Speaker: I heard at least one negative voice. The government House leader.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): Mr Speaker, I would rise to seek the unanimous consent of the House to make some comments on the White Ribbon Campaign.

The Speaker: Is there unanimous consent? Agreed.

VIOLENCE AGAINST WOMEN
VIOLENCE FAITE AUX FEMMES

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):

Today I rise in this house to express our support for the White Ribbon Campaign. The white ribbon symbolizes our deep concern with the violence against women that is still so prevalent in our society. Today we in this House draw special attention to this issue, but we do so in an effort to remind all men that we should be addressing this issue every day.

Some may be cynical about our statements. They say, "There go the politicians again, mouthing nice words but doing nothing." So little has been done about violence against women for so long, I think we can all understand that frustration, to some extent.

But it is also true that through the women's directorate, the Attorney General, the Ministry of Education and other ministries, considerable attention is being paid to promoting public education and providing an integrated strategy to prevent violence against women.

And we've put resources behind that commitment. We have doubled our spending on violence against women and maintained that commitment in the face of very, very tough fiscal circumstances. We've established core funding for women's centres, increased funding for women's shelters, expanded funding for rape crisis centres and created new sexual assault treatment centres. We lead the nation with a \$100-million commitment to this issue, and we're very proud of that record, but we also recognize that there are always more things to be done.

The crime of violence against women is not going to disappear tomorrow, and it will not disappear because this Legislature and this government say it should. Individuals in their daily lives and their personal relationships have to take up the challenge. I take hope in the knowledge that it is not just the Legislature speaking out today. In our workplaces, business and labour are speaking out on this problem. Educators are addressing this matter in our schools, colleges and universities. People are talking about this issue because women fought a long, often unaided and always difficult battle to put this issue so clearly in the public mind.

1410

Today we call on men to do their share to solve this pressing problem. Men must play their part in addressing one of the most prevalent violent crimes occurring in our society today. As men, we must take responsibility to tell other men that violence against women is wrong. There is no excuse to use violence to vent frustration or to resolve arguments.

Men must speak out and challenge other men who use violence in their relationship with women. As men, we must also challenge sexist jokes and language that degrades women. We must identify and challenge sexual harassment in our workplaces and schools. Each of us must take on this challenge with our family, with our friends and with our co-workers.

Members wear a white ribbon today as our personal

pledge never to accept, condone or remain silent about violence against women. We commit today to carry out that pledge as MPPs and in all our relationships. Justice and equality demands no less of us.

Mr Charles Beer (York-Mackenzie): On behalf of the Liberal caucus, I want to join with the government House leader in expressing our strong support for White Ribbon Week.

I think, as we rise again to recognize the sad anniversary of the slaying of the 14 women at l'École polytechnique in Montreal, as we have done now for some five years, that we recognize the tremendous loss that event caused not simply to the families of the 14 young women who were slain, but to all of us, and perhaps in particular to those of us, as we think not only about our wives and our daughters and our mothers, but to everyone who sees an act of violence that is carried out in such a random and ruthless way, it reminds us that this issue of violence against women is with us and that we as men must take a particular responsibility in ensuring that we address the causes and that we find ways to ensure it doesn't happen. I think one of the strongest elements about the White Ribbon Campaign is that it works best when men and women work together to end violence against women.

We know that as men the concerns that we have over our safety are nothing as compared to those of our wives and our daughters, our mothers, our relatives and friends, and that is a reality that we must always consider.

J'aimerais aussi lever mon chapeau aujourd'hui aux organisateurs de la Campagne des rubans blancs. Le ruban blanc est le symbole de l'appel des organisateurs à tous les hommes pour qu'ils déposent les armes de la guerre contre les femmes, nos sœurs.

Il est en effet effrayant qu'il ait fallu attendre que le massacre à l'École polytechnique se produise pour que les hommes prennent conscience d'un événement qui peut se passer à tous les jours chez les femmes. Ces événements incluent le viol au foyer ou lors d'une sortie, des coups que les femmes reçoivent sans pouvoir se défendre, du harcèlement sexuel au travail ou à la maison, des agressions sexuelles contre les enfants et des menaces qui peuvent finir par des meurtres. Il est important que les hommes sachent qu'ils sont partie intégrante du problème, de la solution.

But it is important I think also that in a very personal way we look at the kinds of things that we as men can do to work against violence in our society. For many of us, that may mean helping out in our communities with shelters that exist in so many parts of the province, and particularly at this time of year there is a need for financial support. There is a need for gifts for the Christmas season. There is a need for food. These are real and tangible ways.

It is not, as at times people seem to feel, that men are completely responsible and should feel guilty about everything that happens. That is not the point of this week, that is not why we are speaking today, but that we as men must recognize that we do have a responsibility and this will only end if we work together with women to make sure that it ends.

Another important way in which we can help in this struggle is to go back to one of the specific acts that grew out of the massacre in Montreal, and that was the creation of the Canadian Engineering Memorial Foundation. This foundation was created under the stewardship of the Canadian Council of Professional Engineers, and the foundation is a living memorial to the memory of the slain students through national scholarships and awards for engineering students across Canada.

The foundation provides scholarships for promising women engineering students at the undergraduate and graduate level. The selection of the scholarship recipient is based on academic achievement and community leadership.

In addition, the memorial foundation has created an award, the corporate award, to a company judged to have made significant contributions to promoting the advancement of women engineers. The scholarship awards and the corporate award are presented on an annual basis. I will be passing on to members the foundation's address so that those who would like to assist the foundation or provide information to their constituents will know where to find it.

I would also like to point out that the president of the Canadian Engineering Memorial Foundation is someone who is well known to many of us in this House. Claudette MacKay-Lassonde is a graduate of l'École polytechnique, a resident of Ontario, and she was the first woman engineer to serve as the president of the Ontario Association of Professional Engineers.

It is I think one tangible way whereby we can show our support to White Ribbon Week and to the battle against violence against women. I think if we look at that personally and act in that way, then we can make a real contribution to ending violence against women.

Mr Cameron Jackson (Burlington South): White Ribbon Week represents a conscious effort by men to begin combating the violence perpetuated against women by members of their own male gender. The need for men to join with women in this battle has never been more compelling than it is today.

Today we recall the horrific anniversary of December 6, the day of the Montreal mass murder when 14 women were killed. Today we recall the tragically short life of Nina de Villiers and Leslie Mahaffy, constituents of mine from Burlington, and countless other women and children who have died at the hands of violent men.

Violence against women is unlike any other crime that exists in our society today. Unlike other forms of violence, violence against women is rooted in the values and the assumptions of a society controlled by men that has had the privilege to tip the scales of power between the genders in their favour. As I said in this House on November 2 when we were acknowledging Wife Assault Week, domestic violence and the words "wife abuse" do not exist in any of our law books; they exist in our social values. Unfortunately, our courts make the distinction.

The psychology of male domination views women as objects, as male property and therefore as extensions of men. Male socialization has traditionally reinforced this

attitude, and it has even been used as reaffirming a form of male identity. That's why pornography, as well as other sanctioned forms by which women are continually denigrated, promotes this form of male socialization and superiority. It is almost deemed a legitimate enterprise when it is couched in the terms of liberal democracy or freedom from censorship.

The symbol, therefore, of the white ribbon runs the risk of being overly simplistic at best and problematic at worst. The wearing of a white ribbon does not even begin to address the problem of male-dominated values in institutions in our society if it is left at this symbolic level only.

Many women wonder how far men are actually able or willing to separate themselves from their privileged positions of dominance in our society in order to begin to address the suffering experienced by them at the hands of men, who tend to see acts of violence against the female as individual acts, as acts unconnected to wider societal values or even to their own rationalization that it was their gender role socialization.

Women themselves have a role in helping men understand how their position of power and domination over women is a source of oppression for both genders, and men must begin to see that they lose as human beings in their relationship to others and to women as a result of their possessive and abusive attitudes towards women.

Towards this end, we have had outstanding in this province one of the last known additions to the goals of education in this province, one which I was pleased to table in this House six and a half years ago, and that was to develop an awareness of those stereotypes and assumptions that contribute to the unequal position of women in contemporary society. My hope is that as this government continues to deal with the difficult issue of violence in our schools it will examine it from this perspective as well and not just upon the narrow issues around racism and discrimination.

1420

The White Ribbon Campaign is a call to men to lay down their arms, which they continue to use against women. These arms include not only the guns and other physical means of inflicting harm but also the weapons of officially sanctioned attitudes by men, attitudes that are reinforced in our legal system, which delivers uneven justice to far too many abused women simply because they are women. Included in the attitudes I'm suggesting here is any government which would be afraid of taking decisive action against hard-core pornography or to hear the cries of battered women seeking access to basic shelter and support anywhere in the province of Ontario.

The very fact that men are beginning to take a collective responsibility for their gender for violence is a positive step in the right direction, but it is now time to move from ribbons to legislation, to move from legislation to program implementation, to practically begin to address the issue of violence against women and its root causes in our society.

The fact that Ontario is the only province in Canada without a crime victims' bill of rights sends just one

more message that the rights of men who are the perpetrators of violence against women enjoy greater protection under the law than those, the women, who are its victims, for the truly sobering reality of violence against women is that it's the only form of violence which has more subtle societal sanction in its favour than against it.

We, therefore, as legislators must have a greater responsibility than most to move quickly and decisively to make those changes. We need tougher laws and stiffer laws. That is what is required to change the actions of violent men in Ontario.

ORAL QUESTIONS

HEALTH CARE

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Health. People in Ontario woke up this morning to discover that making decisions about specific diagnostic tests and procedures that they might need was suddenly somehow their responsibility. The assistant director of communications in the Ministry of Health is quoted in today's paper as saying that patients are getting unnecessary tests simply because they want them. He seems to be putting the responsibility for unnecessary tests squarely on the patient.

Minister, do you agree that it is up to patients to bear the brunt of the burden for scrutinizing and controlling costs in the health care system and, if so, how do you expect patients to know exactly what tests and procedures are available and appropriate for them?

Hon Ruth Grier (Minister of Health): Let me say that I do not agree that the responsibility lies with patients. I think that the responsibility is one that we all share, both physicians, as the people who prescribe what is necessary to help their patients, and patients, who have a responsibility to make sure that they understand what's being prescribed, that they question advice that is being given to them, and that we all do our best to stay healthy so that we won't need the system at all.

Mrs McLeod: I agree with the minister, but I think that what is needed for patients, as for professionals, is some information about what is appropriate and what is necessary. We have all agreed that we have to get health care spending under control and we have all agreed that we have to make sure that every dollar in the system goes to what is medically necessary care, but surely that can only be done if there is a real effort made by this government to work with the medical profession to determine what is indeed necessary, what's cost-effective and what the government is prepared to fund on that basis.

Minister, I ask you, given the concern that people are going to have about the story in today's paper, that somehow they're going to have to decide whether they are asking for unnecessary tests, where are the government's guidelines? Where are the guidelines that set out what is necessary, what is effective, what you believe should be funded? When a physician recommends a test for a patient, what hint does he have as to what your ministry believes to be necessary and effective and, therefore, should be funded?

Hon Mrs Grier: I don't think that the public of Ontario, unlike perhaps the members opposite, take all of their information from the headlines in one of our notable daily journals. But I will say to the Leader of the Opposition that I'm in danger of agreeing with her again. I think we do need to know what tests are effective and we do need to know what is in fact medically necessary.

I'm tremendously proud that our government was the first government to sign an agreement with the Ontario Medical Association to create the Institute for Clinical Evaluative Sciences, to have a public process for deciding which procedures are in fact medically necessary and should be funded by OHIP, and I think we have made some very real progress over the last four years in both managing our health care costs and delivering better health care. All of us on this side are very proud of that.

Mrs McLeod: What the public is concerned about, what people are concerned about, is what assurance they have from their government that they're going to get access to the health care they need when and where they need it. The kind of stories we read in today's paper don't give them that kind of assurance, Minister. The kind of stories we read in today's paper simply suggest that what we have here is more ad hoc cuts without any real attempt to understand how our health care dollars can be used most effectively.

Minister, maybe we also misunderstood an acknowledgement that you hadn't actually read the social contract when it was originally signed, but there are enormous consequences of that social contract for health care in this province.

When you signed that copy of the social contract, did you understand, did you really understand, what the consequences of that agreement would be for health care and for the access to health care for people in this province? Have you done anything—give people the assurance they're looking for, Minister—to ensure that the \$240 million that you're taking out of the health care system will not affect essential health care services?

Hon Mrs Grier: Absolutely, and I think the people of this province know the health care budget for this province is still \$17 billion, is still a third of all public expenditures, is still the highest per capita spending of any province in this country. They also know that a cap on physicians' billings as part of the social contract was the same kind of contribution to the betterment of this province that was made by ambulance workers, by municipal workers, by school teachers, by any other person who was paid by the public purse.

If the member is suggesting that doctors should somehow have been exempt from that social contract, I have to say to her that I profoundly disagree. I also disagree with her fearmongering about the state of the province's health care system at a time when expenditures on community and public health have risen by 5.3% this year, expenditures on long-term care have risen by 5.4% this year and the Ontario drug benefit program has risen by 2%. That's good management of the health care system, and that's universal access.

The Speaker (Hon David Warner): New question.

Mrs McLeod: That was such a simple question: What does the Minister of Health believe is necessary, what does she believe is unnecessary, what's she going to pay for to make sure people get health care?

WASTE MANAGEMENT

Mrs Lyn McLeod (Leader of the Opposition): My second question is to the Premier on another matter. Premier, proponents of the Kirkland Lake dump site have asked for an opportunity to make presentations to the hearings of the Interim Waste Authority's proposals to establish mega-dumps for Toronto's garbage. The IWA has said that it simply doesn't want to hear from this group.

Furthermore, they argue that they don't have to look at the alternatives that the Kirkland Lake people would be offering, that they have been told by the government and indeed by this government's laws that all they have to do is look at local sites for Toronto's garbage, if a region in York can be considered a local site for Toronto's garbage. But that's what the government has directed them to do.

I would remind you in asking this question that in another role with a different hat on, you were very critical of any exemption from full environmental assessments. You called for full environmental hearings under the Environmental Assessment Act to deal with this critical issue of how we manage Toronto's garbage.

Premier, I ask you today then, as the IWA says, "We don't want to hear about this other alternative," how do you believe that fits with your belief about the fundamental principle of environmental assessments, that all the alternatives must be considered?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I would say to the honourable member that, first of all, as she well knows, this matter is now being heard by the chairman of the assessment panel, Mr Kingham. Mr Kingham has stated in—I saw in the media today that—

Mr James J. Bradley (St Catharines): Oh, you read the media.

Hon Mr Rae: I read with continuing great interest and occasional amazement, but always with a sense of the accuracy which pervades all the organs of the media.

The reports that I have seen are that the chairman stated clearly that he would consider the requests that have come forward with respect to intervenor status and with respect to other views being heard.

I would only say that the views of the IWA are the views of the IWA. The views of others will be considered and it's now up to the chairman of the panel to decide on what the fairest process will be. I don't intend to interfere in that process in any way, shape or form. I've made a point of not doing that and I would say to the member that my views on this are quite consistent. We want a fair process, we want a neutral process and we want a process that's going to resolve the issues in a timely fashion.

The Speaker (Hon David Warner): Could the Premier conclude his reply, please.

Hon Mr Rae: I believe the citizens of the province are entitled to such a process and I believe very much

that's the process that's been created by the very able work of the Environment ministers.

1430

Mrs McLeod: I am more than amazed that the Premier should stand up this House and say that he reads in the paper that the IWA is not prepared to consider the Kirkland Lake alternative or any other alternative.

Mr Jim Wiseman (Durham West): You had no process.

The Speaker: Would the member for Durham West come to order.

Mrs McLeod: What's the point in Kirkland Lake making a presentation when your government has directed the IWA from the beginning to consider no other alternatives but a search for a mega-dump for Toronto's garbage? Premier, I don't understand why your government absolutely refuses to look at any alternatives.

Mr Wiseman: You don't understand.

The Speaker: Would the member for Durham West come to order.

Mrs McLeod: I confess that we read not only newspapers but books. There's a book that I might say has been a bestseller, at least for people on this side of the House, which suggests that maybe the reason why you're not prepared to consider any alternatives is because the previous Minister of the Environment persuaded you she would be embarrassed if you opened up the process to consider any other alternatives.

The fact is, Premier, that people are raising legitimate concerns about the environmental soundness of the recommendations that are being made by the Interim Waste Authority. I ask you, if you are so sure that your approach to dealing with Toronto's garbage is going to come up with the best environmental solutions, why will you not today allow that process to be put to a full and an open test and allow all other options to be fully and openly considered?

Hon Mr Rae: I find it interesting. I happened to be in Marmora the other day, where there is a large quarry which the people of Marmora were very concerned for many, many years was going to be used as a dump site by the Liberal government of the day for Metropolitan Toronto's garbage. I've also been in Lambton county, where all of Lambton county was worried because they were concerned that their entire county was going to be turned into a dump site, that any site within Lambton county was going to be subject to the possibility of being used as a dump site by Metropolitan Toronto. If that's the policy the member wants to advocate, let her say it in Marmora, let her say it in Lambton county, let her go around the province and say, "We believe that Metropolitan Toronto's garbage should go anywhere at all around the world."

We have a neutral process, we have an objective process that I hope will produce a timely result and an effective result, and I think it's a better and fairer way to proceed than creating anxiety over the entire width and breadth of the province of Ontario about where Metropolitan Toronto's garbage is going to go or where the GTA garbage is going to go. We've created an objective

process and I think we've done it in the fairest possible way for the people of the province.

Mrs McLeod: I have been across this province in community after community, region after region, where people are completely and absolutely frustrated that they can't solve their garbage problems because of the misguided ideological policies of this government. I can tell you, Premier, I have been in Durham, I have been in Peel and I have most particularly been in York region, where there are people who are saying, "We don't believe that it makes sense for us to have to take Toronto's garbage." There should be better solutions and this government should be prepared to look at them.

You have a situation where there are people from one part of the province who are arguing that they don't want their community considered for a dump site; you have people from another part of the province who say they would at least like you to consider letting them offer a solution, and you don't want to hear from either one of them. You have manipulated the environmental assessment process to shut out the views of both those groups.

Interjection.

The Speaker: Would the member for Durham West come to order.

Mrs McLeod: We have just seen this past week a 14-year, \$140-million effort by the Ontario Waste Management Corp, a process to which three governments contributed.

Hon Mr Rae: What is your point?

Mrs McLeod: The Premier is asking my point. My point is that that process, after 14 years and \$140 million, was thrown out because all the alternatives were not considered. I have a very real fear that the same thing is about to happen again. This government has tried to protect itself by ramming through a law that shuts out the alternatives, and that law is being challenged in the courts.

Premier, why are you continuing with a wasteful, expensive, futile process that no one believes makes economic sense and which is likely to be ruled entirely invalid because there is no full environmental assessment? Why not scrap the IWA process right now?

Hon Mr Rae: We're seeing around the province the amount of garbage being reduced dramatically. Just earlier on, in Cornwall, we've seen the creation of a new factory, which is going to be turning cardboard into fine paper, by the Domtar corporation. We've exceeded our targets with respect to the reduction of waste. We're seeing a very substantial reduction of waste all across the province.

This is all good news, and because it's good news, we know it will never emerge from the lips of the Leader of the Opposition, who is incapable of expressing a positive thought about events that are taking place across the province of Ontario. She is incapable of expressing a positive thought.

Her federal counterpart has no such difficulty. For him everything is great in Ontario, everything is great in Canada, everything is improving, everything is wonderful. For the Leader of the Opposition, everything is terrible,

everything is bad, everything is falling apart.

Mr Bradley: I have the picture, Bob.

The Speaker: Order, the member for St Catharines.

Hon Mr Rae: I want to say to the honourable member, it's precisely because we want to create a fair process that is going to be neutral from politics, that's not going to have interference from any political party, that's going to be allowed to come up with the answer.

I am not going to comment on the work of the environmental panel. They will decide on the basis of the evidence before them where the best place is for a dump site. That's precisely what they will decide. I am not about to decide it and I don't think the Leader of the Opposition should be the one to decide. I think we should leave it to an objective process.

1440

MINISTRY OF LABOUR SPENDING

Mrs Elizabeth Witmer (Waterloo North): I'm glad we're on the topic of waste. My question is for the Minister of Labour. I recently received a letter from an individual in London who has approached your ministry for assistance with regard to a complaint against his previous employer. In response to his complaint, the London office of the employment standards program sent him a form letter which states in part, and I quote:

"Your file has been logged and will be dealt with in a sequential manner. We must advise you that because of the high number of claims now being investigated, it takes an average of 12 months to investigate and complete a claim."

Minister, I'm sure that you would agree with me that people who have been forced to approach your ministry for assistance not only require the money that is owed to them but also a response in a more immediate fashion than in one year's time. That's why I'm glad we're on the topic of waste. Will you explain why, when your employment standards offices are so obviously short on staff and resources that it takes an average of one year for them to process complaints, you saw fit to approve the expenditure of \$10,000 on the party at the Ministry of Labour to celebrate the 75th birthday of the ministry?

Hon Shirley Copen (Minister of Labour): As your first question to me in the House, you don't give any details; no additional information. How do I know this is a story that is accurate? If you would provide me with—

Mr Gregory S. Sorbara (York Centre): It is a one-year delay. How much more detail do you want? One year, one day and two hours?

The Speaker (Hon David Warner): Order. The member for York Centre.

Hon Mrs Copen: —that information I would be very glad to deal with it. I am only taking the information that you're saying in the House that it's going to take one year to settle this claim. I don't know that for a fact. You haven't provided me with any kind of information and I think that you should. Cross it over in the House, send it with a page, and I will be very glad to get back to you on that.

You're talking about waste and you were talking about

the party at the ministry to celebrate the 75th anniversary of the Ministry of Labour, a ministry that has done so much for all people in this province, for working people, for employers. I think the member is being very harsh when she says that it was a total waste in the expenditure of money. If you would like—

The Speaker: Could the minister conclude her reply, please.

Hon Mrs Coppen: —tomorrow I would come back to the House with a list of celebrations your party had when in power and you would find that this was a minimal expense. Also, for your information, most of the money was spent on literature and a book that will be kept for reference.

Mrs Witmer: Minister, obviously you didn't hear the entire question. I stated it was a form letter. This form letter is sent to thousands of people across this province. The reality is, the average wait is 12 months. The reality is, it's totally unacceptable. You continue to waste money on parties and you've just had a fully catered employment equity party by the Ministry of Citizenship.

I want to tell you about some other area where you're wasting money. Every day I receive by Sameday courier copies of news releases from your ministry. These could just as easily be faxed to me.

When I looked into the issue, I found that you also send copies to the Premier's office; the Office of the Premier, policy and issues; Office of the Premier, communications; the Premier's press office and the Premier's special adviser—four copies, all delivered by courier at a cost of around \$3 per copy, that were sent to your Premier's office when they could have been sent by fax. That doesn't include—

The Speaker: Could the member place a question, please.

Mrs Witmer: —what you send to the government caucus office and the government members' lobby.

Minister, while workers wait for a year for investigations to take place regarding their claims, you squander scarce resources on couriers to deliver endless streams of inconsequential news releases. Instead of Sameday, why don't you use a fax?

Hon Mrs Coppen: I'll start saving money tomorrow and make sure that the member doesn't get any more of our clippings. We'll start off that way. We have a very good, cost-effective contract with the courier company.

I apologize. When you asked me the first question, I did not hear the beginning of it. I apologize for that, and I agree with you: A form letter that says that anyone has to wait one year to have their claim settled is unacceptable.

When we talk about waste, for the member's memory too, when you were in government there were two employment standards offices in the Niagara area, which didn't even have 300,000 population. So let's not nitpick on waste, because we can show to the public of Ontario the wanton waste that you had for 40 years.

Mrs Witmer: I've never been in government, but I would suggest to you that your government has no sense of priorities whatsoever. Important front-line services

such as employment standards investigations that impact on human lives—and yesterday we heard that shelters for women such as the Redwood Shelter in London go without funding while your government continues to waste millions of dollars.

I want to give you one more example. We recently learned that you spent \$100,000 to finance four labour videotapes. One of them commemorated the 30th anniversary of the postal workers' strike. One was entitled Mapping the Workers' City: A Walker's Guide to Hamilton. I was amazed. You have no money for women's shelters, you have no money to help workers who have filed complaints, and yet you find \$100,000 for videotapes.

Minister, don't you agree that the money you waste on parties, couriers and videotapes could be better spent on front-line services which are actually helping people?

Hon Mrs Coppen: With all seriousness, going back to the first question, because it does bother me that there was a form letter sent out that someone would have to wait one year to have their case investigated, on courier service expenditures we have as a government been very, very careful with our expenditures. It has been proven that we have. Over the last four years, this government has spent less than any other government that was in power. That is a true statement.

The videotapes she's talking about are videotapes, yes, that will be left for the history of young people here in this province, a history of the trade union movement. That's one part of our education that is lacking, that young people can feel proud of what working people did, what trade unions did to make this a great province. That is money well spent when we educate our youth.

The Speaker: New question. The honourable member for Oakville South.

Mr Gary Carr (Oakville South): I tell you where we waste money. I tell you we waste money when we pay that person to be the Minister of Labour in the province of Ontario.

The Speaker: To whom is your question directed?

Mr Carr: That's where we waste the money.

The Speaker: Would the member take his seat, please.

Interjections.

The Speaker: The honourable member for Oakville South was recognized so that he would have an opportunity to place a question.

INTERNATIONAL AND INTERPROVINCIAL TRADE

Mr Gary Carr (Oakville South): My question is to the Minister of Economic Development and Trade. It's on waste as well.

Minister, a year ago your government spent \$300,000 fighting the North American free trade agreement by going around with a committee to fight it. You also spent \$80,000 producing this crazy video fighting the North American free trade agreement. You also lodged a court challenge to fight the NAFTA agreement. Will you now admit it was wrong to spend taxpayers' money to fight the NAFTA agreement last year?

Hon Frances Lankin (Minister of Economic Development and Trade): This one's for you, Mr Speaker. No.

Mr Carr: I'm glad we're being very brief, because your junior minister, the minister from Sarnia, is quoted in a press release: "'As one of our closest neighbours, Mexico offers a huge potential market for Ontario goods and services,' said Mr Huget."

My question to you is this: Will you send a clear message around the world that Ontario is open for business and that you are in favour of freer trade between Ontario and the rest of the world? Will you stand up today and say you support your junior minister having freer trade between Ontario and the rest of the world?

Hon Ms Lankin: Yes. I certainly support Mr Huget's comments. I've made comments similar to that myself. We are a country that depends on trade. We are a province that depends on trade. We're very trade-reliant in terms of our economy. In fact, it's our exports that are helping pull us out of the recession right now, and investments in the auto industries and others. It's incredibly important.

We believe in free trade. We happen not to like the FTA and NAFTA. The agreements that were negotiated by former federal governments were bad agreements. I have no problem saying that. There are problems with respect to the jurisdictional issues that are raised in that agreement. But none of that takes away from the commitment of the members on this side of the House to fair and free and liberalized trade.

1450

Mr Carr: I think I heard the minister say she's in favour of freer trade. Then why in the heck did you spend \$300,000 going around the province fighting it if you believe in it? Speaking of trade she can do something about—interprovincial trade barriers—the GATT council spent two days in discussion of its report, and it said that in Canada interprovincial trade barriers are "hampering economic growth and job creation as well as reducing competitiveness in Canadian firms."

My question to you is this: Why are you spending \$300,000 fighting the North American free trade agreement? Wouldn't that money be better spent trying to eliminate interprovincial trade barriers here in Canada rather than wasting money on something you can't do anything about?

Hon Ms Lankin: With respect to the money that has been spent in a public awareness and public education campaign about the significant problems in what was negotiated under the FTA and NAFTA and its impact on businesses and workers here in the province of Ontario, I'm proud of the leadership role this government played with respect to bringing those issues to the public of Ontario. I don't apologize at all.

With respect to interprovincial trade barriers, I'm really glad the member raised that, because that's where I wanted to go in my opportunity in responding to his third supplementary, because that in fact shows this government's commitment to freer, liberalized trade. This government played a leadership role in trying to push for

bringing down barriers in those negotiations. I remind the member opposite of our relationship with the province of Quebec and the barriers that existed for years and years and years which prohibited contractors from being able to do work in Quebec, to bid on work, prohibited workers from crossing there.

I see members pointing fingers everywhere. Did your party do anything about it? No. Did the Liberals do anything about it? No. Did we do something about it? Yes, and the problem is resolved. We showed leadership. That's an example of real dedication to liberalized trade, not to phoney, ideological and bad trade deals like NAFTA.

LONG-TERM-CARE REFORM

Mrs Barbara Sullivan (Halton Centre): My question is to the Minister of Health. Minister, through your amendments to the long-term-care bill, Bill 173, you've guaranteed that a multiservice agency will not be able to purchase nursing and other home care services from other service agencies in the event of a strike. I remind you that people who need care in their homes are frequently alone, they're vulnerable, they're isolated, and they're very sick. Many could not cope with any kind of interruption in the nursing and social services that are so necessary for their health and their quality of life.

Your parliamentary assistant indicated in committee that it is possible that home care workers could be considered as essential workers in the event of a strike. We want you to confirm that you will designate home care workers, whether they're nursing or social workers, as essential workers if there is a strike, so we can assure our disabled, our seniors and our children who need long-term-care services that they will receive those services under any circumstances.

Hon Ruth Grier (Minister of Health): I'm quite sure the member is well aware that it is not for me to designate who are essential workers. That's something that, under the labour laws of this province, the Ontario Labour Relations Board would, I'm sure, deal with. What I said and what I still say is that of course people who need care under our long-term-care reorganization will get it when they need it, where they need it, and as close to their own home and in their own community as they can.

Mrs Sullivan: The minister well knows that included in Bill 173 she has emasculated the Ontario Labour Relations Board and the powers it has. Home care will be treated in a very different way from any other part of the government and the government's operations. Part of long-term-care reform is to ensure that people have the choice of the services they need and will participate in decisions about those services. Why would an individual opt for services in a home care situation rather than a facility if they cannot be guaranteed that those services would continue uninterrupted under any circumstances, including labour strife?

People want to know what plans you have so that people will be able to receive those nursing and other services in the event of labour strife. What discussions have you had with hospitals, with nursing homes, about admitting long-term-care patients who cannot receive

those services at home; with ambulance services about transferring patients; with your own officials about the Ministry of Health directly providing those services; with physicians and other professionals—

Mr George Mammoliti (Yorkview): You're going on four minutes here.

The Speaker (Hon David Warner): Order, the member for Yorkview.

Mrs Sullivan: —about what services they will provide in an emergency situation which would happen in a strike scenario?

The Speaker: Would the member complete her question, please.

Mrs Sullivan: What have you done to make certain that people will receive the care they need when they need it? What are your plans, and how will you assure people, rather than through words, that you in fact have plans in place?

Hon Mrs Grier: This member's persistent attempts to frighten the seniors of this province about the effect of the reorganization of long-term care are quite frankly disappointing; in fact, probably disgraceful, although that's a word I don't normally use.

Under her government there was a fragmentation of services. It was impossible to find out how you could find out what service was required. There was no commitment of funding to expand or to enhance long-term care so that people could stay at home.

Mrs Elinor Caplan (Oriole): That's not true. Tell the truth, Ruth.

The Speaker: Order, the member for Oriole.

Hon Mrs Grier: What this government has done is invest another \$600 million in long-term care. What this government has done—

Interjections.

The Speaker: Order. Could the minister complete her response, please.

Hon Mrs Grier: Our reorganization of long-term care is in response to what the people who get long-term care said they needed and said they wanted across this province. The seniors and the disabled told us they didn't like the system they had and they didn't like the proposals of the Liberals when they were the government. They came to us and they said: "We don't want to be patronized. We don't want to be told what kind of care we need. We want to participate in the planning, in the delivery and in the management of the services of long-term care." That's what Bill 173 does and that's what the seniors of this province will get and deserve.

CONTAINMENT LABORATORY

Mr Chris Stockwell (Etobicoke West): My question is to the Minister of Health as well. Madam Minister, on November 14 in this Legislature, with respect to the containment laboratory in the city of Etobicoke, you said, "In view of the concern of the residents of the area, it will not open until they have had an opportunity to have their fears addressed." You said you'd delay the opening until the end of this year. People are still phoning my office, and I'm sure yours, and they're asking the ques-

tion about when they are going to have their chance for a public meeting. They wanted an environmental assessment and you said no. You've gone to the city of Etobicoke—you didn't; your staff did—and given them an undertaking that a committee would be struck, public hearings would be held—

Interjection.

Mr Stockwell: What? Sorry, Mr Speaker, there's a mouse in here.

Madam Minister, I just want to put it to you very directly: The constituents would like to know when these public hearings are taking place and when their concerns are going to be heard, because the elected officials in the city of Etobicoke I've spoken to have said categorically that they have not heard from your department on what's going to happen.

Hon Ruth Grier (Minister of Health): Let me first of all correct something in the preamble to the member's question. He said that I had said the laboratory would not open until the end of the year. In fact, I said the laboratory would not open until the concerns had been addressed. I agree with him: They have not yet been addressed.

The city of Etobicoke has asked us to do an environmental assessment. The government of which members of the Conservative Party were a part waived the environmental assessment, gave an exemption from the Environmental Assessment Act so that there would not be an environmental assessment of the construction of this 1,200-square-foot laboratory within a laboratory that had been there since the 1960s, for which no environmental assessment was done when the building was first built, because the act didn't even exist then.

1500

Secondly, the city of Etobicoke has asked us to build a hospital next door to the laboratory, should there be a leak of viruses. I don't decide overnight whether or not to build new hospitals. In fact, I haven't had the privilege of deciding to build new hospitals since I became Minister of Health. I would have to look at that particular request very carefully.

The city of Etobicoke has asked for a quarter-of-a-million-dollar indemnity fund for the residents around the laboratory. That of course is something that would have to be considered very carefully, and the city of Etobicoke has had a public meeting where all the residents voiced their concerns and which was the origin of these kinds of requests from the city.

When we have had a time to analyse them, when we have had a time to sit down with officials from the city, then I can assure the member that all of his constituents will be advised that in fact the public health officials in the city of Etobicoke believe they have nothing to fear from this laboratory—

The Speaker (Hon David Warner): Could the minister conclude her reply, please.

Hon Mrs Grier: —and were part of the implementation committee set up three years ago to in fact make sure that the laboratory was constructed safely.

Mr Stockwell: I'm very pleased with the response. As

I understood it, when I asked you this question on November 14, you ruled that you wouldn't have an environmental assessment hearing. I'm pleased to hear that you're in fact considering having an environmental assessment hearing on this site. I'm sure the people in the city of Etobicoke will be real pleased to know that you've decided that you've got to review the environmental assessment hearing and whether or not you're going to have it.

The other thing I'm glad to hear about is that you're considering the request for a quarter-of-a-billion-dollar indemnification.

Interjection: Billion?

Mr Stockwell: Yes, a quarter-of-a-billion-dollar indemnification for the area. I'm really pleased that she's considering that too.

Hon Mrs Grier: I said million.

Mr Stockwell: I'm also real pleased that you're going to strike this committee and you're going to consider hearing from these constituents full-time.

I'm also really pleased that you have agreed not to open it by the end of the year, that it's going to be some time in 1995.

I guess the question that stands is, while you're considering all this stuff, when do you think you might come to a potential date just to have a public hearing to hear from the constituents so they can express their concerns while you're contemplating environmental assessment hearings and quarter-of-a-billion-dollar indemnifications? When do you think you could just take a few minutes of your busy schedule to have a public hearing so these people may speak to you first hand and outline their real concerns about the opening of this viral containment centre?

Hon Mrs Grier: As I said in response to the first question, the city of Etobicoke has had a public hearing. All of the people expressed their concerns to the city of Etobicoke and to the board of health of the city of Etobicoke. As a result of that public meeting, the city council has forwarded to us a series of recommendations based on those concerns. I said I would look at them.

I think it would be foolish for the member, and I'm quite sure, given the Common Sense Revolution, that he wouldn't want to be advocating a quarter of a billion dollars in indemnification for something that might happen should something else happen should something else happen, but maybe he does. And I certainly don't know how the Environmental Assessment Act can be applied retroactively to something to which a Conservative government gave an exemption.

But I'm pleased to know that the member is pleased, and I'm pleased to tell him that when we have come to some conclusions I will be pleased to share them with him.

ANTI-TOBACCO LEGISLATION

Mr Jim Wiseman (Durham West): It's nice to stand up after the member for Etobicoke West. I hope I can keep his ratings up.

The question I have is for the Minister of Health. It

has to do with Bill 119, the Tobacco Control Act. While I've heard a number of very positive comments about the Tobacco Control Act from a number of groups and people throughout my riding, there has been one concern that has been expressed to me that I think should be discussed here. That has to do with the schools and the fact that a number of young people are found loitering outside the school property and disturbing area residents.

This issue has been raised with me by a couple of people, so my question to the minister is this: What are the options for those residents who live next to the high schools in dealing with the increase in the number of students loitering outside, off school property?

Hon Ruth Grier (Minister of Health): The member is indeed right. Under the legislation that was proclaimed at midnight last night, schools and their properties are in fact smoke-free zones. The objective of the legislation is not only to prevent young people under the age of 19 from getting access to tobacco but also to make sure that areas that are frequented by the public and by non-smokers are smoke-free.

All I can say to schools, many of which fully support the legislation and appeared before the committee indicating their desire to have this legislation, is that, working with their public health units, they may in fact be able to deal with this problem, because we have funded public health units to provide smoking cessation and smoking education for pupils. In addition, the schools that have been having difficulty from neighbours who complain that students are perhaps smoking on adjacent properties I think will find that the problem diminishes today, when people under the age of 19 find it much more difficult to obtain cigarettes in the first place.

Mr Wiseman: Minister, my supplementary has to do with how this is going to be funded and how the public health units that are responsible for enforcement under Bill 119 are going to be funded. How will this system work? As a former educator myself, I know that all educators are anxious to make this system work. So how can they relate to the inspectors, and how will this whole system work out in terms of funding?

Hon Mrs Grier: When I referred to public health units doing smoking cessation and education programs, that has been part of ongoing funding to public health units. But I think it's very important that this legislation be enforced and not be like the federal legislation that has said, "You can't smoke under the age of 18," and for which they have 10 inspectors for the entire province of Ontario.

Those 10 inspectors, as well as existing public health inspectors, as well as enforcement officers who will be hired by public health units with the addition of an extra \$2.5 million from my ministry, have all been part of education programs to inform them about the legislation and will be part of the enforcement. So the public health inspectors and the enforcement officers, who know their own communities, who know the shopkeepers in their communities, will be part of making sure that those who sell tobacco will respect the legislation, which makes it an offence to sell or give tobacco to anyone under the age of 19.

TRENTON MEMORIAL HOSPITAL

Mr Hugh O'Neil (Quinte): My question today is for the Minister of Health. Minister, back in June of this year, approximately 500 people travelled to Queen's Park from the Trenton area to voice their concerns about the future of the Trenton Memorial Hospital and to ask for your help. At that time we came away feeling hopeful that you would make things happen. It is now the end of November, and we still have not heard from you.

In 1989, the government gave approval for the needed changes to the area hospitals in Trenton, Belleville and Picton. Since then, it seems that your government and staff have done everything possible to delay those needed changes, which would guarantee not only the health of the patients but also the safety of those within.

Your staff promised that the second phase of the rationalization study would be completed by April, and it is now November. You, along with ministry officials, said we would have a response no later than the end of October, and in a conversation I had with you earlier this month, you told me it would likely be delayed until December.

There is absolutely no excuse for those delays, which are jeopardizing the health of our community. We have waited patiently through three functional programs, one CHO or comprehensive health organization study, two rationalization studies, and thousands of hours of discussion and debate in order to receive approval to redevelop our grossly substandard and outdated facilities.

Based on reports from the fire department, the city's building department, architects and unions, Trenton Memorial Hospital is in critical condition and the health and safety of staff and patients are at risk as a result. Minister, I ask you to address these matters immediately. What do you intend to do?

Hon Ruth Grier (Minister of Health): I'm glad to have an opportunity to address this question which, as the member has said, I've had an opportunity to discuss with him and with representatives of the community who he brought to visit me. I can assure him that the member from Prince Edward-Lennox and the member for Hastings-Peterborough are vitally interested in the results of the work that is being done by the district health council, and let me repeat that. The planning and restructuring of health care facilities within this province is the responsibility of district health councils with which we work very closely and whose advice we rely on.

I'm delighted to be able to tell the member that I have in fact received the recommendations from the district health council. They are recommendations that our ministry feels will go a long way to address long-standing problems, problems that were identified, I think, in 1986 for the first time, and we now have had a comprehensive evaluation of the needs of that district for the future.

1510

I can say to him that I hope very shortly to be able to report back to the district health council with our response which, I can assure him, will enable the institutions about which he is concerned to be put on a firm footing for the years ahead.

Mr O'Neil: Madam Minister, the problem is that you're throwing this back on the district health council, and I believe the district health council replied to you back in August of this year. They are so frustrated that they are talking about resigning en masse because you and the ministry staff have not acted upon those recommendations.

I'm going to send over both to you—because the member for Northumberland, Mrs Fawcett, and myself met with the hospital board in Trenton on Thursday evening—and to the Premier reports that came from the fire department and the city building department of Trenton talking about the danger of that establishment.

You've had this for too long now, you have not dealt with it and the thing is that you need to get moving and give the district health council and the people of Trenton and area an answer on what you're going to do with this. You've been delaying for months upon months. There's a real danger to the health of the people who are in that hospital if you don't give us an answer very shortly so they can go ahead with the building and the repairs that need to be done.

Hon Mrs Grier: The member began his question by saying that I was throwing it back to the district health council. Let me assure him that nothing could be further from the truth. We have had from the district health council a first-rate report that deals with a number of issues that have been of long-standing concern in that community and that make some very concrete recommendations to the ministry.

We've had that report, we have almost completed our evaluation of that report, and I can assure him he will have a very concrete response, as will the member for Prince Edward-Lennox and the member for Hastings-Peterborough, all of whom share his concern. I've seen the clippings; I know the concerns of the fire department.

There has been funding in order to make some improvements to the essential components of that hospital. It's a hospital that's very old and that needs a lot of investment, the one in Trenton, and we will be addressing that just as soon as we can get the letter drafted and out to the district health council.

RESIDENTS' SAFETY

Mrs Margaret Marland (Mississauga South): My question is to the new Minister of Housing. Bill 120, which came into force last summer, brought care homes under the laws governing rental housing, but as I have said many times, this is like putting a square peg in a round hole.

If you apply laws designed for apartments to care homes, you endanger the health and safety of the residents who are under care. For instance, as a result of Bill 120, residents must be given 24 hours' notice before staff can enter their rooms. This means that night-time security checks are no longer possible.

One of the many letters I've received on this issue is from 36 residents in the Pinewood Retirement Residence in Pembroke. They write: "We depend on these night checks for security and our peace of mind. This is clearly not in our best interest." Minister, how would you reply

to these residents' concerns about their personal safety overnight?

Hon Richard Allen (Minister of Housing): I think everyone is concerned about the safety and welfare of people in care homes. There's no question about that, and I think that the provisions in question grew out of studies undertaken by Dr Lightman in the Lightman report, where he made a number of recommendations that made it very appropriate for those residents to be brought under the Landlord and Tenant Act and to be provided with a whole range of protections which that piece of legislation provides for them.

I understand perfectly that managers of care homes brought under new legislation would have some concerns about how that legislation would apply to them and their performance of their proper activities with respect to their clients. It will take some time to get used to new provisions as they come under that legislation, but there are a number of provisions and understandings around that law which make it quite accessible and useful for them with respect to the needs of their clients.

If there's not a 24-hour advance notice, the staff person can always knock and get a response. That's the first provision: You can get in if you have a response. The second is, if you have a reason to believe, knowing the client in question, that there is an emergency in the room, be it by virtue of the condition of that patient, that person, then you have a right to enter, and you may enter and seek that condition. Under those circumstances, it's very unlikely that there will be an action taken against you.

Mrs Marland: Well, I can tell you that Dr Lightman never referred to these people as clients; he always said "patients."

A woman whose husband has Parkinson's disease writes that restricting access to her husband's room is "nothing short of madness. He falls continually and unexpectedly and therefore would not be able to call for the staff to help him. He could be lying on the floor for hours."

In another letter, a man whose mother-in-law is 91, senile and has several serious health problems writes, "If your mother were in this place and if she suffered a stroke in the middle of the night or a heart attack or was choking on her vomit and no one could enter her room on a regular basis every night, even several times during the night, to check on her or to give her assistance when and if needed, would you be happy because your mother died in order that the act be upheld?"

Minister, if this is what it is like and if this is what it will take, a tragedy, even a death, before you will admit that your government made a grave error when it brought care homes under laws that were designed for rental apartments—we are talking about people who are in care homes, frankly, because they need care, and they're paid for by your government for that special care, and you're happy to leave them alone all night with—

The Speaker (Hon David Warner): Could the member place a question, please.

Mrs Marland: I am hoping that this new Minister of

Housing has concern and is willing to reverse this very wrong decision to include care homes under Bill 120.

Hon Mr Allen: Nothing that I have heard convinces me that common sense will not prevail, and that indeed the appropriate roles that people, as caregivers, are expected to give under those circumstances will in fact prevail in the exercise of their responsibilities under the Landlord and Tenant Act, but as caregivers.

There will of course, quite inevitably, as always happens with new legislation, be the development of a whole new field of case law around this, but I would expect and I would urge that caregivers exercise common sense in the application of the law. I think with that understanding there will be no harm to either the caregiver or to the patient.

ALTERNATIVE FUELS

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): My question today is for the Minister of Agriculture, Food and Rural Affairs. I am aware that the minister and this government continue to support the further development of an ethanol industry in Ontario. However, I have in my hand a letter from a constituent, Bruce Jewell, rural route 1, Carrying Place, who's keen to see this industry start and who also says he believes this alternative fuel is a step in the right direction.

Since 1992, Seaway Valley Farmers' Energy Co-operative has conducted numerous investigations into the feasibility of constructing and operating a 50-million-litre-per-year ethanol production facility in eastern Ontario. In the past six months I understand that Seaway Valley has carried out extensive market searches and that it has developed a comprehensive business plan. The cooperative would like to begin construction of its facility this spring.

Given the potential rural employment and economic benefits generated by this project, not to mention a market for five million bushels of Ontario corn, can the minister confirm his support for this project for eastern Ontario?

Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs): We have responded to a number of questions in this House about the project that everyone has heard about in Chatham, and I appreciate the opportunity to respond regarding this initiative in eastern Ontario, which is badly in need of jobs.

I want the member to know that I've met with the Seaway Valley co-operative members a number of times over the last few years. In fact, I think a couple of members of the opposition have sponsored trips for the farmers from eastern Ontario to come to this place, and we've actually met in this building to talk about their ideas and their projects.

This is essentially a group of farmers coming together investing some of their own money, and hopefully they will get to the stage where they'll be able to create an ethanol plant somewhere in the Cornwall region. It's unfortunate the member from Cornwall is not here today, because he's done a lot of work on helping the farmers to initiate that project.

We are very supportive of the ethanol industry, and I

look forward to a meeting probably before the new year with the group from Seaway Valley to look at their plans for the construction of a plant. We will try to assist them as much as we can, because ethanol is a very good way to create jobs in rural Ontario.

1520

Mr Paul Johnson: Mr Jewell also states in his letter that he feels the NDP government has been stalling. He feels this government has been stalling and he wants to know how it is that Jean Chrétien could approve a similar facility in China.

As the minister has noted on many occasions, the province has been supportive of the industry on many issues, and in particular in encouraging the federal government to match Ontario's commitment on long-term tax concessions on alternative fuels such as ethanol.

To date, however, there has been no federal announcement on the excise tax issue. Many people would like to hear something from the federal government. Can the minister update the House today with respect to this very important issue?

Hon Mr Buchanan: This is a very important question. Some of us have been waiting now for about a year, after the election of the new Liberal regime in Ottawa. One of the first announcements that came out for rural Ontario was that there was an expected announcement within a week or two and they were going to take a couple of weeks to review the process that had taken place under the previous administration.

We waited a couple of weeks, we waited a couple of months, and now we keep hearing that the announcement will be made soon. We hear the fact it will be made in a couple of weeks. We heard that back in September. It was going to be done in the summertime so the construction could start this fall in Chatham, and quite frankly—

The Speaker (Hon David Warner): Could the minister conclude his response, please.

Hon Mr Buchanan: —now we keep hearing that the announcement of this stage will be made before Christmas. The people of rural Ontario, Seaway Valley as well as Chatham, certainly would appreciate an announcement—

The Speaker: New question.

WORKERS' COMPENSATION

Mr George Mammoliti (Yorkview): My question is to the Minister of Labour.

The Speaker (Hon David Warner): The minister is not present in the chamber. Is there any other minister to whom you wish to direct your question?

Mr Mammoliti: Perhaps the Minister of Finance would answer the question, the Deputy Premier.

Hon Floyd Laughren (Deputy Premier and Minister of Finance): I'm listening.

The Speaker: Place the question.

Mr Mammoliti: Minister, today I brought down a constituent of mine by the name of Frank Casser. Frank's history of the Workers' Compensation Board goes back a long way. Frank is here in the gallery with me today. He got injured in 1986, back and neck. Four claims later

and nine years later, Frank's claim has been denied. If it weren't for a subsidy, some compensation from an insurance company, Frank would have been on welfare.

My question to the minister, of course in the absence of the Minister of Labour, is, what is the government doing to help alleviate the problems within workers' compensation and what can we do to stop nine-year waiting lists from happening once again? I'll bring over to you, Minister, Frank's file that he has built up over the last nine years. Can I have a page, please?

I must mention as well, Minister, that Frank has done this all by himself. He could not hire a lawyer or a consultant to do this, and I'd like you to base your answer on what perhaps we're doing as a government to help alleviate individuals like himself.

Hon Mr Laughren: I appreciate the question from the member for Yorkview, who is carrying on a long tradition of concern on behalf of this party for injured workers in this province. There is no question that from time to time injured workers who come into contact with the Workers' Compensation Board have enormous difficulties having their claims settled.

I myself represent a constituency with many injured workers, representing an area with mining and forestry predominant, so I do appreciate the problems that injured workers have from time to time. And it doesn't have to be a very large percentage of total claims for it to be an important but small percentage, and I appreciate that fact.

As the member for Yorkview would know, I suspect, we have worked extremely hard to do two things. One is to reform the structure of the Workers' Compensation Board so that it's a bipartite structure, and work is ongoing on that. Second, and perhaps in the long run more important, although it may not satisfy the immediate problems of your constituent, and I appreciate that, is to have struck a royal commission which will look at the whole existence of the Workers' Compensation Board and the way in which services to injured workers should be delivered in the long run.

There are many models of workers' compensation and all governments in this province have struggled with the whole question of how to deliver services humanely and also at the same time affordably for the business community. We can't just ignore that.

I appreciate the question from the member for Yorkview and can assure him that we will continue to work to try and streamline and get rid of some of the problems that currently exist at the Workers' Compensation Board.

PETITIONS

LONG-TERM-CARE REFORM

Mrs Elinor Caplan (Oriole): This petition is addressed to the members of the Legislative Assembly of Ontario.

"Whereas Bill 173, the long-term-care reform bill, if allowed to pass without necessary and appropriate amendments will result in a lower level of service to consumers in the province; and

"Whereas the enactment of this legislation in its present form will increase the cost of the provision of

care to the elderly and those in medical need; and

"Whereas the passage of Bill 173 will bring about a decrease in the number of volunteers available to organizations now directly involved in providing services in the long-term-care field; and

"Whereas local communities will lose control and influence over the delivery of long-term-care services even though they are best able to determine local needs,

"Be it therefore resolved that the government of Ontario be requested to amend Bill 173 to comply with the recommendations of service organizations who at present deliver home care to people in communities across the province."

The Acting Speaker (Mr Noble Villeneuve): Further petitions? The honourable member for Muskoka-Georgian Bay.

Mr Sean G. Conway (Renfrew North): The boss himself.

EDUCATION FINANCING

Mr Daniel Waters (Muskoka-Georgian Bay): Thank you, Mr Speaker. Thank you, Mr Conway.

I have a petition here today signed by in excess of 500 people in my riding that says:

"Petition to the Honourable Floyd Laughren, Treasurer of Ontario:

"Whereas the residents of Muskoka believe that the present system of funding education in the province of Ontario by property taxes is unfair; and

"Whereas the province of Ontario established the Fair Tax Commission to review and make recommendations regarding Ontario's tax system; and

"Whereas said commission concluded that education should not be funded from local property taxes; and

"Whereas said commission proposed four potential sources—the provincial payroll tax, the corporate income tax, the retail sales tax and the personal income tax—of core funding for education; and

"Whereas the allocations of the general legislative grant to the Muskoka Board of Education have decreased by \$7.7 million since 1991; and

"Whereas Muskoka's average family income is approximately 20% lower than the provincial average;

"Therefore we, the undersigned, do petition the Legislature of the province of Ontario as follows:

"To implement immediately the recommendations of the Fair Tax Commission regarding a new system of core funding for education; to recognize that the average family income in Muskoka is such that some residents are unable to pay increased property taxes in order to fund quality education for Muskoka students; to reassess the allocation of the general legislative grant to the Muskoka Board of Education for 1994."

I too affix my name.

VENTE DE BIÈRE ET VIN SALE OF BEER AND WINE

M. Jean Poirier (Prescott et Russell): Encore une fois aujourd'hui, j'ai 821 noms — 829 names — de quatre dépanneurs, du Mini-Marché Laurier à Rockland,

du Marché du Coin Lefavre, du Marché Côté à Saint-Eugène et du dépanneur Legault à Casselman, des pétitions des gens de la circonscription qui demandent humblement à l'Assemblée législative de l'Ontario que l'on appuie un projet de loi pour autoriser les dépanneurs à pouvoir vendre du vin et de la bière à leurs clients dans les dépanneurs.

There again:

"We, the undersigned, humbly beg leave to petition the Legislative Assembly of Ontario to support legislation authorizing convenience stores to sell beer and wine to their clients."

J'ai appuyé ces pétitions-là très fortement, j'y ai apposé ma signature et c'est avec plaisir que je vous les présente.

1530

MENTAL HEALTH REFORM

Mr Rosario Marchese (Fort York): A petition to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Stop the implementation of the mental health reform as outlined in Putting People First;

"Stop the plan to transfer hospital staff workers into the community;

"Start funding free, non-medical, non-traditional autonomous community services;

"Start serious discussions with psychiatric survivors, abuse survivors, feminist service providers, community service providers, providers of ethno-specific and multicultural services and community service clients;

"Allocate at least 50% of the multibillion-dollar mental health budget in Ontario to non-medical, non-traditional, autonomous community services which are controlled and guided by the communities which they serve; and

"Recognize and address the societal origins of people's problems. These origins include: poverty, sexism, racism, homelessness, lack of affordable and safe housing, all forms of abuse—sexual, ritual, physical, medical and psychiatric—and emotion abuse, violence against women and children, homophobia, ageism and ableism."

HOSPITAL SERVICES

Mr Sean G. Conway (Renfrew North): I'm proud to present today probably the largest petition I've ever presented as a member in the Legislature, a petition signed by some 15,884 people in the city of Pembroke and elsewhere in the upper Ottawa Valley. It is a petition that was gathered together just in the last few days, and it concerns the very sensitive and controversial question of hospital restructuring in the city of Pembroke.

The petition reads in part:

"To the Legislative Assembly of Ontario:

"Whereas the hospital services review committee of the Renfrew County District Health Council was established to restructure hospital services in the city of Pembroke; and

"Whereas consumer participation and input is an important component of the study;

"Therefore, we, the undersigned consumers recommend as following:

"(a) That no Pembroke hospital be closed;

"(b) That each hospital restructure to avoid duplication, that each hospital develop their programs of excellence and become as efficient as possible; and

"(c) That all hospital staff affected by the restructuring be treated in a fair and equitable manner."

I repeat, this petition has been gathered together in just a few days and it is signed by almost 16,000 of my constituents who are obviously very seriously concerned about any hospital restructuring that could injure health care and hospital services in the upper Ottawa Valley.

HIGHWAY 520

Mr Ernie L. Eves (Parry Sound): I have a petition addressed to the Legislative Assembly of Ontario:

"We, the undersigned residents and cottagers of McKenzie, Hagerman and Ferrie townships in the district of Parry Sound in the province of Ontario do hereby sign this petition for the following reasons:

"(1) The highway commonly known and duly mapped as Highway 520 from the village of Dunchurch to the village of Ardbeg was, until this past summer, a paved road;

"(2) Highway 520 is now a gravel road due to resurfacing by MTO personnel and other contractor input;

"(3) The gravel road has caused windshields to be broken from passing vehicles, dust to residential adjacent properties and a rough surface.

"We, the undersigned residents, therefore request that the afore-noted highway be paved as soon as possible."

The petition is signed by many residents in the area, and I have affixed my signature thereto as an MPP.

CONSERVATION

Mr Robert Frankford (Scarborough East): I have a petition and I'd like to acknowledge the contribution of the Centennial Community and Recreation Association in my riding for doing a lot of work to pull this together.

It's to the Legislative Assembly of Ontario:

"Whereas the Centennial waterfront of Lake Ontario between Highland Creek and the Rouge River is an important natural asset that needs to be protected and kept accessible;

"We, the undersigned, call on the government of Ontario to initiate discussions with other governments and agencies, including those of Canada, Metropolitan Toronto and the city of Scarborough as well as the Metropolitan Toronto and Region Conservation Authority, the Waterfront Regeneration Trust and local school boards regarding the acquisition of lands and appurtenant properties for the protection of the environment and enjoyment by future generations."

I'm pleased to affix my signature to this.

SEXUAL ABUSE OF CHILDREN

Mrs Joan M. Fawcett (Northumberland): I have a petition to the Legislative Assembly of Ontario signed by numerous people from Port Hope and Cobourg district:

"We, the undersigned, petition the Legislative Assem-

bly of Ontario to help us to protect our children by changing the current maximum penalty of 10 years for sexual interference to a minimum of five years with mandatory counselling and up to and including life imprisonment as a maximum penalty."

I have signed the petition.

WATER SAFETY

Mr Daniel Waters (Muskoka-Georgian Bay): I have another petition that states:

"We, the undersigned, are requesting much tougher boating legislation after Cody Speaker's life being taken away in a boating accident at age 7. We want to see all boat and personal watercraft drivers having to get operators' licences, and an age limit for drivers. We want them to take courses on how to operate their watercraft and enforce these regulations.

"We are doing this in memory of Cody Speaker in hopes that we may prevent this from happening again."

LONG-TERM-CARE REFORM

Mr James J. Bradley (St Catharines): This petition is addressed to members of the Legislative Assembly of Ontario:

"Whereas Bill 173, the long-term-care reform bill, if allowed to pass without necessary and appropriate amendments, will result in a lower level of service to consumers in the province; and

"Whereas the enactment of this legislation as it is in its present form will increase the cost of the provision of care to the elderly and those in medical need; and

"Whereas the passage of Bill 173 will bring about a decrease in the number of volunteers available to organizations now directly involved in providing service in the field of long-term care; and

"Whereas local communities will lose control and influence over the delivery of long-term-care services even though they are best able to determine local needs;

"Be it therefore resolved that the government of Ontario be requested to amend Bill 173 to comply with the recommendations of service organizations who at present deliver home care to people in communities across Ontario."

I agree with this petition and therefore I affix my signature to it in agreement.

TORONTO ISLANDS COMMUNITY

Mr Rosario Marchese (Fort York): This petition is from some of the Toronto Islands residents:

"We, the undersigned, endorsed the lease developed through a democratic process by the island community. The trust's legal counsel assured us this lease conformed completely with Bill 61. We sincerely request that you not regulate additional terms and conditions, but offer the lease that was voted on and accepted by both the community and the trust board."

GASOLINE PRICES

Mr David Ramsay (Timiskaming): I have a whopper of a petition here, thousands of signatures, to the Legislative Assembly of Ontario:

"Whereas the difference in gasoline prices between

northern and southern Ontario has long represented a serious inequity between the two regions," and this government's done nothing about it, "and

"Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 and 20 cents a litre; and

"Whereas residents of most northern Ontario communities have no access to public transportation options and are therefore dependent on private automobiles; and

"Whereas 1990 NDP election promises to equalize the price of gas across the province have not been kept; and

"Whereas Kenora Liberal MPP Frank Miclash has called upon the NDP government to keep their 1990 election promises; and

"Whereas the elimination of motor vehicle registration fees for northern Ontario residents does not compensate for the excessively high price of gas in the north;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government of Ontario fulfil its election promises to the people of northern Ontario by equalizing the price of gas across the province."

I proudly affix my signature to this.

FIREARMS SAFETY

Mr Daniel Waters (Muskoka-Georgian Bay): I have another petition, which reads:

"Whereas we, the undersigned, strenuously object to the minister of the Solicitor General's decision on the firearms acquisition certificate course and examination;

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and hunted for years;

"Whereas we believe that we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

1540

GUN CONTROL

Mr Daniel Waters (Muskoka-Georgian Bay): One final petition today, and this petition says:

"Instead of changing Canada's gun laws, the government should enforce existing laws and deal more severely with criminals that use illegal weapons."

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Haeck from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr146, An Act respecting the City of York

Bill Pr148, An Act respecting the City of Mississauga

Bill Pr150, An Act to revive Mississauga Synchronized Swimming Association

Bill Pr151, An Act respecting the Board of Education for the City of London

Bill Pr153, An Act respecting the Simcoe County Board of Education

Bill Pr154, An Act to revive Oshawa Deaf Centre Inc.

Your committee begs to report the following bills, as amended:

Bill Pr117, An Act respecting the J.G. Taylor Community Centre Inc.

Bill Pr147, An Act respecting the City of York.

Your committee further recommends that the fees and the actual cost of printing at all stages and in the annual statutes be remitted on the following bills:

Bill Pr117, An Act respecting the J.G. Taylor Community Centre Inc.

Bill Pr154, An Act to revive Oshawa Deaf Centre Inc.

The Acting Speaker (Mr Noble Villeneuve): Shall the report be adopted? Agreed.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mrs Marland from the standing committee on government agencies presented the 32nd report and moved its adoption.

The Acting Speaker (Mr Noble Villeneuve): Does the honourable member wish to briefly state what's in this report?

Mrs Margaret Marland (Mississauga South): No, Mr Speaker, thank you, I do not have any comment on the report.

The Acting Speaker: Pursuant to standing order 106(g)11, the report is deemed to be adopted by the House.

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Mr Marchese from the standing committee on administration of justice presented the following report and moved its adoption:

Your committee recommends that the following bills be not reported:

Bill 89, An Act to amend the Health Protection and Promotion Act / Loi modifiant la Loi sur la protection et la promotion de la santé

Bill 151, An Act to control the Purchase and Sale of Ammunition / Loi sur la réglementation des munitions.

The Acting Speaker (Mr Noble Villeneuve): Shall the report be received and adopted? Agreed.

INTRODUCTION OF BILLS

COBALLOY MINES AND REFINERS LIMITED ACT, 1994

Mr Murphy moved first reading of the following bill:

Bill Pr143, An Act to revive Coballoy Mines and Refiners Limited.

The Acting Speaker (Mr Noble Villeneuve): Is it the

pleasure of the House that the motion carry? Carried.

**COLUMBIA METALS CORPORATION
LIMITED ACT, 1994**

Mr Murphy moved first reading of the following bill:

Bill Pr144, An Act to revive Columbia Metals Corporation Limited.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

S.A.W. GALLERY INC. ACT, 1994

Mr Grandmaître moved first reading of the following bill:

Bill Pr152, An Act to revive S.A.W. Gallery Inc.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

ORDERS OF THE DAY

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): Just before I call the first order, which I intend to call as government notice of motion number 38, the House leaders have had a discussion about this item and I think it's been agreed, so I seek the consent of the House, to proceed in this fashion: I will move the motion and I will do the opening remarks for the government and, when I have finished, the other two parties will split the remainder of the time in the two hours that are allotted for this motion.

The Acting Speaker (Mr Noble Villeneuve): Do we have unanimous consent to the government House leader's suggestion? Agreed.

**EXTENDED HOURS OF MEETING
HEURES PROLONGÉES DE SÉANCE**

Mr Charlton moved government notice of motion number 38:

That, pursuant to standing order 6(b)(i), the House shall continue to meet from 6 pm to 12 midnight on December 1, 5, 6, 7 and 8, 1994, at which time the Speaker shall adjourn the House without motion until the next sessional day.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): I don't intend to speak at any great length this afternoon, but I thought there were a few remarks that I should make this afternoon simply because of a number of things that have been said in this House over the last couple of weeks that I think, for the public, need to be clearly set straight on the record.

There have been repeated accusations from the opposition, and most recently and most vehemently by the member for Etobicoke West over the course of the last several days, that somehow the government has taken five weeks off. The members opposite know full well that's not correct.

The standing orders of this House set out a House calendar, and it is true that between 1991 and 1994 it can be said that we didn't follow the House calendar with any precision in terms of the actual dates that are set out in the House calendar. On the other hand, it is very true that between 1991 and the end of this session next Thursday this House will have sat, almost to the day, precisely in

the time set out in the calendar for this House to sit.

This government has taken no time off. We were forced to sit longer in the summer of 1992, that's true, and we were forced to sit right through July and into August in the summer of 1993, way over the sitting schedule. So yes, there has been a shorter sitting this fall, but the point that has to be made clear to the opposition, and at the end of the day to the public, is that the standing orders set out a particular legislative schedule for this House and governments design their legislative agendas based on those calendars that are set out. So we've ended up, as a government, with a legislative agenda that was designed to fit into the total amount of calendar time set out in the standing orders. That's what we've ended up with.

In that respect, it is unfair to suggest to the public that we haven't left enough time in this fall sitting to deal with the legislation that's before us. As a matter of fact, the only thing that is bringing pressure on the legislative agenda this fall is the filibustering that went on by both of the opposition parties in four committees—not one, not two.

1550

I can recall the last session under the former government in 1989-90 when there were, of the entire government legislative agenda in two sessions, two bills that were vehemently opposed by the opposition, two bills that, in the traditional jargon of this place, the opposition parties filibustered. In this year, in the spring session and the fall session, there have been a total of 11 pieces of legislation filibustered by the opposition parties, intentionally delayed by the opposition parties.

So if we want to talk about the use of time allocation, the use of the other techniques in the rules to move legislation along, we have to measure that discussion in the context of the realities that promote the use of those techniques. In both cases in 1989-90 when the opposition filibustered two government bills, at the end of the day the government time allocated, or approved closure on, both of the bills that were filibustered.

So the kinds of things that have been said here in this House over the course of the last two weeks do not provide accurate information to the public about the real operation of this assembly, of its intent to move legislation to conclusion, of the normal processes by which we accomplish that, or the times we are intended to be here to accomplish those tasks.

Back to the remarks from the member for Etobicoke West. When he says to this House that members are not at work if they're not here in the House, I would suggest that on most occasions most members of the Conservative caucus are avoiding work, because on most legislative days here there are two or three or four members of the member for Etobicoke West's party available in the House, and the rest, I would assume from his comments, are not working, not doing their job.

Mr Chris Stockwell (Etobicoke West): On a point of order, Mr Speaker: I would suggest that if the House Leader is going to make statements like he's just made, he would offer evidence to that fact, and if you don't

have the evidence at your hand, don't make the statements.

The Acting Speaker (Mr Noble Villeneuve): Order, please. It's not a point of order. Really, a quorum is what matters in this place, and if there is not a quorum, there is a quorum call. Outside of that, we do not refer to—

Hon Mr Charlton: Oh, that's absolutely true, Mr Speaker. I was simply making reference to the comments that were made here by the member for Etobicoke West himself about what work was for a member and what work was not.

Mr Stockwell: You said there were members missing. Just prove it. When were they, and how many were missing? Tell us.

Hon Mr Charlton: Right now? Take a head count, my friend. This is a legislative day.

The Acting Speaker: Please address through the Chair.

Hon Mr Charlton: Mr Speaker, I should address you and not the member across the way, who is obviously becoming a little irritated about things he's said that are coming back now to bother him.

The last set of comments I want to make in this discussion of late-night sittings, and I started to say it earlier, is that the only severe thing at this point that is putting pressure on the time in this session to finish the legislation that's before us are three or four matters that were not on the agenda at the start of the session, three or four matters which the opposition parties have demanded that the government do something about.

It is true that some of the ministers on this side have agreed that something should be done about the matters in question. Hence we've brought forward legislation to deal with the after-hour club situation after the questions were raised a number of times here in the House. We are in the process of having discussions with the third party about a private member's bill that was introduced by the member for Mississauga South dealing with issues around drunk driving and demands from the third party that we proceed to put in place some tougher measures in that respect. We are also dealing with a matter that was not on the agenda at the beginning of this session that was proposed in a bill introduced by the member for Oriole when she was a little concerned that we hadn't moved quickly enough. We did eventually, two days later, introduce legislation.

We have a number of items that have emerged on the agenda during the course of this session that were not part of this government's agenda, or anybody's agenda, when this session started. The demands for those pieces of legislation did not come up in the first question period on October 31 or the second question period on November 1 or the third question period on November 2. The demands for those pieces of legislation have arisen here in this House during the process of this session, many of those demands coming from the opposition parties. We're going to need the time that the late-night sittings tomorrow evening and for the four evenings next week will provide us to finish the legislative agenda we had in hand when this session started and the number of pieces that

have been added to that agenda in the last couple of weeks.

I can't conceive of why either of the opposition parties would want to spend a lot of time debating or even considering opposing this motion. I think we just need to get on with the business of the House, to deal with the matters that both parties have said publicly in this House they want to see dealt with quickly, these additional items that have come on to the agenda, and get on with passing those bills rather than spending a lot of time debating the motion that will enable us to get that job done.

Mr Sean G. Conway (Renfrew North): One of the great things about Canadian winter is that it brings with it a crispness and a cold that, in its positive effect, eradicates those horrible blackflies and mosquitoes that so irritate the Canadian skin and the Canadian hide in May, June and July of summertime. Soon, metaphorically, a Canadian winter will set upon us and, speaking for myself only, some of those truly irritating mosquitoes and blackflies that have gotten under my skin over the past number of years will be removed from the scene.

As I speak to this motion, I want to say at the outset that I think it is a fair and reasonable thing for any government House leader, at this point in the season, to ask for and to get night sittings. There is no question about that.

When I was first elected, along with the member for Ottawa Centre, there was a tradition here that, particularly in the spring sitting, the Legislature would sit not just at night but in fact around the clock. The folklore of the Legislative Assembly of Ontario is rich with stories about how, under the very colourful House leadership of one Eric Winkler, a former Tory member for Grey South, not only would we sit all night but we would sometimes sit through the day, with more than one order paper for that day and not necessarily recognition by the government of the day that in fact the order paper had been changed along the way.

So it has to be said that we expect, in June and in late November and December, a request from government to sit at night. Happily, under changes of recent years, we have capped those sittings, by and large, at midnight, and I think that is the sane and sensible thing to do.

So at one level this motion is perfectly understandable and supportable, because it fits into a long tradition in this place. But this motion does, of course, provide members of the Legislature with an opportunity to assess how it is that the government has organized its affairs in this, the fifth year of its electoral mandate. That is a subject to which I want to turn my attention, and I listened with some care to the recent comments made by the government House leader. Since I want to maintain an equilibrium this afternoon, I'm not going to treat those comments at any length, because I don't know how, in all fairness and candour, I could do so and maintain any equilibrium.

I think it has to be said that we stand here on November 30, St Andrew's Day, with one of the most remarkable years of legislative sitting that I can remember. I don't think there has been a year quite like the one in which we are now finding ourselves.

If one looks at the period July 1, 1994, to April 1, 1995, it can be said that we will have sat in that nine-month period for 20 days. That, I think the record will show, is unprecedented, I suspect, in the last 35 years. One has to go back, I'm sure, into the 1950s, perhaps the early 1960s, to find a time when so little of the legislative schedule was in fact used up for purposes of government business and legislative business. I repeat to anyone watching or listening this afternoon that from July 1, 1994, to April 1, 1995, and I suspect it will even be longer than that, we will have sat for 20 days.

1600

This motion indicates, and let me read it:

"That, pursuant to standing order 6(b)(i), the House shall continue to meet from 6 pm to 12 midnight on December 1, 5, 6, 7 and 8," and on the evening of December 8, "the Speaker shall adjourn the House without motion until the next sessional day."

Just so everyone knows what that means, it means the following: When we have completed our 20th day of business next Thursday night, we will adjourn, and some time thereafter, probably within a day, a week, a month, the Lieutenant Governor will prorogue this session and we will be called back to a new session some time, I suspect, in mid-April. So we are not dealing here with a normal adjournment: Everyone knows and we all expect that we will have a prorogation. This government will not of course announce that—it doesn't need to, but it won't—until after adjournment next Thursday night.

I want to say to my friends opposite, it is clear what kind of game you're playing. I can understand that. You have the right. Governments win that right, when they win the right to form a government, to decide how and when Parliament's going to meet. So you'll be able to say that in this, the last year of this mandate, you will have met for 20 days in that nine-and-a-half-month period from June 1994 until March-April 1995. I just think that's the point that a number of members have highlighted.

I saw, briefly, the rather enthusiastic interventions of my friend the member for Etobicoke West on this subject, I think just yesterday. What he does not of course have the benefit of, which some of the rest of us have, is the benefit of the NDP in opposition. I fantasize about what would have happened had Bill Davis or David Peterson tried any of these stunts.

I think it is very good to say that this Liberal and Tory opposition, imperfect and histrionic as it sometimes is, has happily not engaged in some of the truly disgraceful conduct the Rae opposition engaged in in the mid- to late 1980s. Fortunately, we do not have leaders of opposition parties engaging in civil disobedience. We do not have warrants being served on leaders of opposition parties like Mr Rae invited, attracted, encouraged in the summer of 1990. I think that is a step forward.

I think it is very, very useful that Liberal and Tory members of the opposition have not paraded, on almost a daily basis, the sick and the dying, the grieving, to this chamber, like the New Democrats did during the 1980s. I think that was really unedifying and often perfectly

disgraceful conduct, and I am happy that this opposition, Liberal and Tory, has chosen not to emulate that conduct.

The member for Ottawa Centre stops chewing gum long enough to frown. I know she's probably a little stung by what I've said.

Ms Evelyn Gigantes (Ottawa Centre): It's not accurate.

Mr Conway: It is accurate, and I ask anyone who was here, because I saw it on a daily basis. I saw Bob Rae's—

Ms Gigantes: I was here.

Mr Conway: You were not here for all of it, I dare say, Madam.

The Acting Speaker: Order. Please address the Chair, and interjections are out of order.

Mr Conway: I want to say that I know what I saw and I know what I heard, and I can remember. I can remember families being paraded in here and ministers of a Tory and Liberal government being forced to encounter some conduct that I just thought was really regrettable. I know what I saw when I saw Bob Rae up at Temagami. Maybe I remember it incorrectly, but perhaps some of my colleagues will ask—of course, you see, the new puritans of the NDP say: "Since we are the light and the truth, we have the received wisdom. It is of course only your ignorance and only your blindness that causes you not to see."

And then who can forget—do you remember? I remember. I think I was government House leader—the day that, spontaneously, hundreds of injured workers happened to that door, nearly barged through the chamber door. It was spontaneous. Oh, it was absolutely spontaneous. I know it to be true. I remember those days when Peter Kormos and some others did things here that really, I think, brought opposition politics to a dangerous point.

I want to be fair. I think it is true that not always, if one looked at the past, could one say it was just the New Democrats. But I think it is fair to say that over the course of the past 15 or 20 years when governments—do you remember those New Democrats when Tories and Liberals brought time allocation motions? Wow. It's interesting to see the faded frescoes now appearing after layers of paint have been peeled away. I am surprised, quite frankly, that some of that gold leaf didn't reveal itself with the blistering assaults of New Democrats as they excoriated Liberal and Tory governments for time allocation and closure.

I ask my friends to contemplate what it is we have in this session. Let me say again, I have no difficulty with the government—I fully expect the government—in late November and in mid-June to bring a request for night sittings. I expect it and I intend to support it in normal circumstances. I think we have to be fair; that's what we have come to recognize as business around here. But I ask my friends to contemplate what we have this year. We, I think, adjourned on June 25 or thereabouts.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): June 23.

Mr Conway: June 23. I thank the table. We adjourned on June 23 and we came back four months and

one week later, on October 31. Never in my 20 years was there such a recess period.

Ms Gigantes: That's not the case.

Mr Conway: It is the case. I certainly can tell my friend opposite that I don't ever remember that kind of recess, with the possible exception of when there was an election in the fall. There was no election this fall. In the normal course of events, we would adjourn mid- to late June, generally, in the more recent years, in early July, and we would come back around Thanksgiving.

Ms Gigantes: There wasn't a schedule.

Mr Conway: I know there wasn't a schedule, but there has been experience. I know the member for Ottawa Centre, as is her churlish wont, does not wish that we reflect on some of this past experience, but I think a fairminded person would want to agree with me that that has been, by and large, the experience.

This year we adjourn on June 23. We come back on October 31, I think it was. We sit for 20 days. We will adjourn on December 8. We will prorogue very shortly thereafter. I see the illustrious columnist for the English-language daily in the national capital region now joining us on the press bench. He opined, I think in today's column: "You read it here first. Expect a recall of the Legislature, the launch of a new session about"—he had it even later than I would imagine it to be, some time in mid- to late April, April 25 or thereabouts, "with a call in early May for election day in early June."

1610

I think it simply has to be said that we will adjourn next week and we will prorogue very shortly thereafter. I checked, before I took my place for this debate, with our whip's office. As of 3:30 this afternoon it was still, I gather, the expectation that there would be virtually no committee work, very little or no committee work in the intercession: January, February and March. I wouldn't be altogether surprised if that happened. We will come back for a new session, probably in mid-April and an election call shortly thereafter. I make my point again: in that nine-month period, late June 1994 till mid-April 1995, we will have been summoned for 20 days' sitting. That is, I think, a record in the recent period.

I must say, to digress for a moment, that there's a wonderful story that John A. Macdonald told on himself about how in a parliamentary recess he was back in Kingston and some constituent, he is alleged to have said, upbraided him for not being up in Ottawa. When Macdonald said, "But Parliament is in recess," the constituent said: "Yes, but you're my member and I'm paying you. I'm unhappy. You should be at work up in Ottawa." "Ah," Macdonald is alleged to have said, "you should be so happy that Parliament is in recess, for it is when Parliament is in session that no person's property is secure." I think that tale, however apocryphal, is very applicable to this government.

There is certainly no doubt that many of my constituents are not unhappy to be told that the Legislature is in recess. They would only be happier if I could tell them that the executive branch was in recess and on some kind of permanent hold.

Twenty days of sitting in over nine months of calendar time: Let us ask, what have we done in these 20 days? That is a subject that requires a little bit of scrutiny. We have been summoned back by the government to do a relatively limited number of things, major bills: The long-term-care bill, the planning bill and the new crown timber bill are among the major initiatives of the government. In all cases, the government has applied, or will apply, time allocation and force those measures through this House—in not just one of those cases, but in all of those cases. No amount of gum chewing and no amount of harrumphing and no amount of revisionism is going to change the fact that this is a change of attitude and approach by the treasury bench.

Again, I ask myself, what would have happened five or 10 or 15 years ago if a Bob Welch or a Bob Nixon, as government House leader, or a Bill Davis or a David Peterson had tried that in a 20 days' sitting with the New Democrats, ably led by people like my friend the member for Ottawa Centre or her former colleague Mr Cassidy or the now leader of the government? Apoplexy with a capital A. Words do not present themselves to properly and adequately capture the fury that would have poured forth. I just try to imagine how great the obstruction, how repeated the civil disobedience might have been. But I know this much, that in those years of the 1980s these agents of the new democracy proved that there was very little they would not do.

As I look across and I see people like the ministers of justice and agriculture, the member for Sault Ste Marie and the member for Peterborough, let me say they are saved harmless from any of this. They did not engage in this, and knowing many of these new people, I can't imagine—I know the Minister of Agriculture, Food and Rural Affairs well. I can't imagine that he would ever have countenanced such conduct. I know the member for Sault Ste Marie would not have. But Bob Rae and Evelyn Gigantes and Peter Kormos and David Cooke and Brian Charlton did it joyously, did it often—

The Acting Speaker: Please refer to honourable members by their riding, please.

Mr Conway: I thank you very much, Mr Speaker. Would that everyone could say theirs was Glengarry. It would make it a much easier task.

But I say that seriously. If it is now going to be normal practice that, as we deal with these contentious issues, we are just simply going to time-allocate everything, reduce the sitting time of the Legislature to a minimal period, then I think we are going to face some very worrisome consequences. It is, I think, the case today that this Parliament, like most parliaments, is increasingly irrelevant, both to much of the citizenry and quite frankly to many in the apparatus of government.

I know well—I can appreciate the frustrations of honourable members on the treasury bench—about the irritation of having to deal with the Legislature in session. I don't think anyone who's ever served as a minister was happy about the fact that they had to go on a regular basis to give an accounting of their stewardship to Parliament, from which they derived their authority. But I must say that this motion, speaking as it does to this

remarkable season of 20 days' sitting over a nine-month period, is a marked turn in, I think, a bad direction.

I want to say as well that I've seen in the last few years an attitude around public consultation that is also worrisome. There are people here—and I guess not just in this majority government; other governments had them. Every so often you get into one of these debates and people from the government side will say: "But you know, we won the election. We have 74 and you clowns have 57, so, like, we won. We have a mandate to run this railroad for five years as we see fit."

To a certain extent that is true. But of course it is not an unfettered right, it is not an unbridled opportunity. There are some constraints on this government, just as there are and were on previous governments and will be of course on succeeding governments. But it is interesting to meet people who are duly elected who say: "Well now, our side won. We're a majority government. This now is really the politics of the foregone conclusion. Once it gets decided in the government caucus, you people are here just to rubber-stamp what it is we propose, and we'll meet again in four or four and a half years' time."

It doesn't quite work that way, as I indicated, but you can understand how people might come to conclude that when you see the way in which this place is organized.

I think it was the member for Etobicoke West who the other night observed that at 4:15, for a vote, we had something like 65 members of the government, but an hour and a half earlier during question period, I think, as they say in the Ottawa Valley, cabinet ministers were about as scarce as hens' teeth. I know that cabinet ministers are busy. There are onerous responsibilities from signing Christmas cards to meeting delegations to arbitrating very tough internal government battles.

Mr Pat Hayes (Essex-Kent): They probably thought it was time to vote.

Mr Conway: Well, I just simply say that the government has some responsibilities and that's what I'm here to debate today. That the opposition has theirs is absolutely the case as well.

But I say again that we are back here for 20 days, and what's the government done? It's said, "Here's the menu"—

Interjection: And the cook is out.

Mr Conway: Yes, if you were raised Catholic you'd certainly appreciate—I see the member for Sault Ste Marie perking up. It reminds you of one of those rigorous Catholic diets. You've been invited to school, folks. Here it is: Breakfast is Bill 163, lunch is Bill 171 and dinner is 173. I think I've got the numbers right: the planning bill, the crown timber bill and the long-term care bill.

1620

Here it is: "Breakfast is going to be between quarter to 7 and 7:30, and at the end of that, we're pulling anything off the table. Lunch is between quarter to 12 and quarter to 1, and then to chapel, and not a moment late for lunch or a moment late for chapel. Dinner is at 6, and the scraps are all taken away at 7, and that's it. This is a papal dictate, and it is non-debatable. This is good for you, and that's that."

I just want to say to my friends opposite that this business of coming back and ordering up time allocation for all of the major items on this legislative menu and then locking that into a very, very rigorous and highly restricted debating period is, I think, a bit dangerous. I say again that all of us, I think, over the last few years realized that there have to be some reasonable constraints. This place can't run the way it did 30 or 40 or even 20 years ago.

But I say to my friends opposite, I presume you're doing all of this with the understanding that some day some of you might be in the opposition. There will be a great temptation for a new government—and we may have a new government as early as the summer of 1995—and I can just imagine the temptation in a new cabinet of saying, "Well, the NDP, Bob Rae rewrote the rule book, and what's good for the goose is good for the gander, and now let us see how loudly the gander can be made sing."

Of course, I, should I be favoured to be in a new government, would resist any kind of Carthaginian response to this sort of NDP policy, but I might lose to some of my colleagues. If the member for Cochrane South should be here, and he were to be on the receiving end of this kind of motion—

Mr Gilles Bisson (Cochrane South): You'll be in like a dirty shirt, Sean.

Mr Conway: Who knows? Listen, I've been around long enough to know that one never predicts an election result.

Interjections.

The Acting Speaker: Order, please.

Mr Conway: I said we're going to have an election in the summer. I fully expect the government to be turned out. I have some views on the subject. But I simply want to make the point that in fact you have, over the course of the last few years, gone farther and faster than any government in the past 25 years on this kind of House scheduling.

Mr Bisson: Sean, given the opportunity, you'd do the same.

Mr Conway: My friend opposite says that given the opportunity, I would do the same. The fact of the matter is, I say to my friend the member for Cochrane South, we didn't.

Mr Bisson: You will.

Mr Conway: He says we will. Well, if a new government did, I guess we could say that a precedent has been set, and it has been set by the most aggressive of the old-school parliamentary purists, who used to argue that this was beyond the pale.

I want to say, as a final observation, that something else has happened here in the last while that I think is really an affront to those people out there who want to participate in public hearings and express their views on legislation, large and small, contentious and non-contentious alike. I think it's of a piece with this move to time allocation for more and more of what we do here. That's this business of organizing hearings. My friend the Minister of Agriculture has left. I don't know whether

other members of the opposition and the House have noticed, but have you paid any attention to the way in which the NDP organizes public hearings around particularly contentious issues?

I remember the business about the stable funding in agriculture. I think we had those public hearings in July and early August or certainly in peak farm activity season.

Mr Stockwell: And holiday time.

Mr Conway: And holiday time. This NDP government has been ruthless in scheduling time to make it as inconvenient for many of those people who we all know might want to come and complain about government initiatives. I just think, again, that is of a piece with what we face here today.

So I say to my friends of the government opposite, 20 days of sitting in over nine months of calendar time is remarkable. I think you would have a much stronger—well, the minister of justice winces, but I want to say to her that it is. It will be 20 days max that we will have sat from about June 25 till probably mid-April.

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): You're making assumptions.

Mr Conway: Well, I will put some money on the Clerk's table, the proceeds of which bet will go to a charity of her calling in London, and the bet is this: that we will, later in the month of December, prorogue and we will not be back here until probably early to mid-April at the earliest.

Mr Stockwell: I'll hold the money.

Mr Conway: No, I think we should have a more neutral agent for that purpose. So 20 days of sitting in a nine-month period: That tells you that we will have had a fair bit of time. And what do we get in that 20 days? We get nothing but time allocation motions.

Mr Stockwell: Four of them.

Mr Conway: Four time allocation motions, which would suggest that we were squeezed for time. Well, of course we're not squeezed for time, as my little recitation of this calendar makes plain.

The government is clearly squeezed. Oh, the government does not want to be here. They do not want to be here giving an account of themselves. They want to do what quite frankly governments like to do under usually bad circumstances, but sometimes good circumstances: They want to be able to run this from the executive branch with nobody else around.

They want to be here when no one else is here so that they can dole out on a daily or on a semi-weekly basis the news that will make them look good. They don't want committees around here, particularly in January, February and March of 1995, because they are getting ready—not to offend you, Mr Speaker—just as Bill Davis got ready in the winter of 1981 to launch BILD in the campaign spring of that season.

I have to be ecumenical and I have to be relatively frank about admitting that, but let's not kid ourselves what it is that certainly the Premier and his coterie of

close advisers wants to do, and that's, I suppose, their prerogative. But you might understand, I say to the good doctor from Scarborough East, how members of the Legislature might complain about needing a time allocation every place they look in this remarkably short fall sitting when we will have done so little, in terms of that nine-month period, so little in terms of being here.

I want to leave time for my friend the House leader, the member for St Catharines, but I want to say again that we are setting some precedents here that I don't think are healthy. I don't have any problem with night sittings in December and June, but I have a very real problem with time allocation motions flying on a daily basis in so short a period of time, which clearly have as their intention the restriction of debate and public hearings on issues that are enormously contentious.

I guess that's the other point that has to be made: that the government has embarked upon changes to the Planning Act and changes to long-term care that are enormously controversial, that I have said before and I will repeat now a new Liberal government will have to move very quickly to substantially amend or repeal in some very substantial fashion.

But to shut out the public from a greater say on issues like this long-term care and the Planning Act will I think not serve this government well, and that's the kind of protest I wanted to raise here today as we face government notice of motion number 38, standing in the name of the government House leader, who seems to be happiest when he can conduct this iron heel railroad of Bob Rae's.

Mr Stockwell: On a point of order, Mr Speaker: I think if we're going to debate this motion to sit till midnight, there are probably some members who would be interested, so a quorum should be had.

The Acting Speaker: Could the clerk check to see if indeed a quorum is present.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The acting Speaker ordered the bells rung.

1630

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: Further debate. The honourable member for Don Mills.

Applause.

Mr David Johnson (Don Mills): Thank you, Mr Speaker, and thank you to the member for Etobicoke West, my cheerleader.

I'm a little sorry that the Chair of the Management Board is so sensitive about this issue and has raised deep concerns about dealing with this issue. He's indicated and, I think, defended the government's number of days in the Legislature and has indicated that 20 days, plus what was served in the spring, plus what was served last year would be a normal course of action.

I haven't been here in this House for a long period of time—only in the last year and a half—but I can tell you that this past summer when I was out and about in July

and out and about in August, September and October, and the House wasn't sitting, people were asking me what was going on; what were members of the House doing? I was very embarrassed, I must say. I had to admit that I was very embarrassed, as a member of this Legislature—

Mr Jim Wiseman (Durham West): Not me; I was working.

Mr David Johnson: Well, the member for Durham West was working; I guess working on his landfill sites perhaps out there in Durham. He hasn't been too successful so far but—

Mr Stockwell: He was digging.

Mr David Johnson: He's digging. If he keeps working at it, I'm sure he'll succeed at some point.

But I was very embarrassed to indicate—I, as their elected member, could not speak for them in the House through that whole period of time, the latter part of June all the way through until October 31. There was nothing going on and people would ask me, "Why is that so?"

I suppose we have no problems in the province of Ontario to deal with. I suppose we don't have an unemployment problem. We don't have a problem with regard to deficits. We don't have a problem with regard to the debt.

Mr Randy R. Hope (Chatham-Kent): According to your leader's questions, there's not much happening.

Mr David Johnson: Where's he from?

Mr Stockwell: Chatham.

Mr David Johnson: Chatham-Kent.

Mr Hope: According to your leader's questions, there's not much happening.

The Acting Speaker: Order.

Mr David Johnson: I thank the member for Chatham-Kent—

Mr Conway: On a point of order, Mr Speaker: I know a lot has changed, but has the member for Chatham-Kent been promoted to the front bench?

The Acting Speaker: Interjections are out of order, particularly when members are not in their assigned seats. I want the member to know that. The member for Don Mills has the floor.

Mr David Johnson: But nevertheless, I certainly appreciate the wisdom of his thoughts, Mr Speaker.

The reality is that this House sat April, May and a part of June and served November and will likely serve one week in December. That is the amount of time we have put in in legislative time in the province of Ontario for the people of Ontario. I'm not so sure why the Chair of Management Board should be so thin-skinned about this and so concerned about it. Naturally, people would wonder about a situation like that.

The Chair of Management Board is worried about the number of opposition members who were present during various debates. I would remind the Chair of Management Board that it is the government's duty and responsibility, as we all know in this Legislature, to maintain a quorum. If there are not members who are present to

maintain a quorum—I think it was quite telling that just at the end of debate from the Liberal member and at the start of my debate there wasn't a quorum. Indeed, there wasn't a quorum through the whole period of time when the member for Renfrew North spoke. There was barely half a quorum in this House through the whole period of time that he spoke. I think maybe the Chair of Management Board should be a little cautious in terms of his comments.

We have served less than five months in the Legislature out of the whole year, and that gives unfortunately the impression to the people of Ontario that time is being put in before the election, that there really is no agenda, that we are simply waiting for an election in the province of Ontario; that there is a slide that's going on, time has to be put in until the polls show that the government support will come up—if indeed it ever will come up—and that's simply what we're waiting for; we're waiting for that kind of situation.

In the meantime, it's not very wise to talk about contentious issues, it's not very wise to put through a number of pieces of legislation, it's not very wise to enter into tough debates, because history has shown that this will not serve the government well. History has shown to pass the time, keep everything quiet, hope for the best, and that seems to be the opinion of the people of the province of Ontario of the situation that we face right now.

I don't object to night sittings, and that's what we're talking about at the present time.

Mr Drummond White (Durham Centre): And what, pray tell, are you doing standing on your feet chatting?

Mr David Johnson: The member for Durham Centre is supporting me in that. We both are content to be here and serve the people of the province of Ontario in the evening. Indeed, when I served on a municipal council, evening meetings were common fare; routine. As the member for St Catharines will recollect from his old days, meetings went not only to midnight but the meetings went to 1 o'clock, 2 o'clock. I remember one meeting that I attended that started at 9:30 one morning and went through all the way to 7:30 the next morning: a 22-hour meeting. I don't remember too many meetings like that, I must say, thank heavens, but you were there and you served and you did the job that had to be done for the people.

The people don't get that sense about this Legislature. They see problems out there in the province of Ontario, they're obvious to see, and we are not coming to grips with them. Indeed, on some of the "problems" that are being addressed, there's a concern that the legislation that's being brought forward will actually worsen the situation, and long-term care is certainly one of those and I'd like to just mention that in a minute.

I do not object to late-night sittings. If there's a job to do, let's get about doing it. The point that we have made, that Mike Harris has made, that this Progressive Conservative caucus has made, is that we should have been back on the job back in September.

Although I do not have a long history in this House, I

understand that it is common for the Legislature to come back into session in September and we didn't, and this session is very short as a result. And as a result that this session is very short, only 20 days, the government feels it has had to resort to bringing closure on each and every bill: to bring closure on the planning changes in the province of Ontario; to bring closure on the forestry and timber bill affecting the province of Ontario; to bring closure on the bill to deal with the workers' compensation system; and to bring closure on the bill that will affect long-term care in the province of Ontario.

Closure means that we do not have the same ability, as members of this Legislature, to represent the views of the people who are counting on us to bring their views forward. I have been getting numerous communications, particularly with regard to the long-term-care bill, but because closure has been invoked, because the period of time to debate the issue has been severely restricted, I have not had that opportunity to speak on behalf of my constituents and to bring forward their concerns. Because this government has only allocated 20 days in this sitting, I have not had the opportunity to speak with their concerns.

That's why I don't object to the night sittings. At least with the extra time perhaps there will be some opportunity to bring to the attention, for example, of this Legislature the type of letter that I received just a week ago from an organization that serves the south part of my riding but also serves the riding of Beaches-Woodbine and is actually located in the riding of Beaches-Woodbine.

1640

This organization is called Senior Link. It's a well-established, highly reputable, highly-thought-of organization that provides services to senior citizens. In their letter, and it's addressed to myself, they say, "Your colleague Frances Lankin will tell you that when she helped develop the government's concept of long-term care, she used Senior Link and other community groups like it as the model of what the NDP wanted in services to seniors." That's likely true, because I know from my long experience in that particular community that Senior Link is an excellent example of an organization that has provided services to senior citizens.

But they go on to say, "Now you are debating Bill 173"—that's the long-term-care bill—"and somewhere in the process things went wrong, badly wrong. So wrong in fact that the process the government has set up to implement this bill is trying to close down agencies like Senior Link." And they ask, "Why?"

"Not because the intentions were wrong, but because some advisers and vested medical interests have imposed a rigid structure on the process" of a one-size-fits-all type of solution to long-term care across the province of Ontario.

"Here's what it means for Senior Link and other grassroots community organizations.

"Senior Link has spent many years pulling together services, special programming and housing for seniors and other vulnerable groups. Now it is being torn asun-

der. Twenty years of integrating services will be lost. Now in the catchment area served there will be two agencies. One will be Senior Link; the other will be the multiservice agency," the MSA that the government is attempting to set up in various communities across Ontario, the bureaucratic agency. "This multiservice agency will not be able to provide the same scope of services as Senior Link....

"Many government officials say that all seniors in Ontario want reform. Consultations say that seniors want these multiservice agencies. Reports state how much money will be saved by this legislation."

But they go on to say: "Let us be honest here. Consultations say whatever you want them to. Reports have been withdrawn," and I think they're referring to the Price Waterhouse report that has been withdrawn, "because they have been proven wrong. Government officials will do what they please in the end." They go on to ask me to vote against Bill 173.

That's the kind of letter from an organization with decades of experience in serving the senior population. We should not reject those kinds of letters out of hand. They have a great deal of knowledge to impart.

Mr David Winninger (London South): Have you read your letters from the seniors' alliance?

Mr David Johnson: The member for London South asks if I have read the letters from various organizations. The member for London South is asking me about an organization that claims to represent—how many millions? I'm sure it's an excellent organization, so don't get me wrong. I'm sure the seniors' alliance is an excellent organization, but in my more than 20 years in political life, on a regular basis I come across groups that claim to represent a vast constituency when indeed it's impossible. I won't say they don't try, but you just can't on every issue be in contact with every one of those one million seniors who it is claimed are represented. It's just impossible to do that.

I have letters from seniors. I trust the letters that come in. I can tell you that if I put on one side the letters in support of the government's bill for long-term care and on the other side those opposed, from seniors, from groups, from you name it, from anywhere in the province of Ontario, there is virtually no support for this long-term-care bill, virtually no support through my office.

I'm trying to recall a single letter in support. I can recall a letter that indicated that if there were a certain amendment made, they might support it. I'm trying to recall one single letter in support, and I have stacks of letters in opposition to it from people, seniors who would be in the seniors' alliance organization.

I have a letter from the Catholic Women's League of Canada. There's a reputable organization. I'm sure each and every member of this House would say that the Catholic Women's League of Canada should be listened to. They're a good organization and they have experience, and this is a very thoughtful letter. The writer indicates:

"I am concerned regarding Bill 173, the Long-Term Care Reform Act. I understand the government is trying to do what they think is best for the people. But it is

going to be detrimental to the private sector, charitable and non-profit agencies."

Here's a letter from the Catholic Women's League that gives the government credit for trying, but unfortunately not succeeding.

"At this time when the government is trying to save money, isn't it going to be very expensive for them to implement one-stop shopping under multiservice agencies? Are they going to pay the present volunteers who donate hours of their time on a voluntary basis?"

That's one of the key questions in the long-term-care issues. That's one of the issues that I think should have been explored much further, and had closure not been invoked, had we come back to this House in September, as would normally be the case, and had we had more time to debate this issue, that is one of the issues we could have explored in greater detail.

I know there are many volunteers who identify with their community and their organization—they do not identify with government—and they serve their community. I think the best example of that close to my home is a Meals on Wheels program just around the corner from where I live, called the True Davidson Acres Meals on Wheels program. But there are a number of Meals on Wheels programs across the province of Ontario, and I'm sure each and every one of us could say the same thing about the Meals on Wheels programs within our own community. Volunteers make that program.

Will volunteers such as they, who identify with their community, who identify with the people they're serving, who identify with their local organization, will that volunteer spirit be shifted to a multiservice agency? There are many, many people who think it won't be. There are many, many people who think this feeling, this volunteer spirit, will be lost and that the MSAs will be viewed as a bureaucratic organization run by government officials and they won't feel that the volunteer spirit is appropriate, that they will perhaps redirect their energies somewhere else.

If that's so, then there will be many organizations, as is pointed out in this letter from the Catholic Women's League of Canada, that will lose volunteers. How will that service then be delivered, if volunteers are lost? One option of course is that the government tries to buy the support services, pays people to do what volunteers did previously, and that's the very concern that's being registered in this letter from the Catholic Women's League of Canada. But we didn't have time to explore that thoroughly because closure was brought and because we didn't come back to this House until October 31.

The Price Waterhouse report, which I believe was referred to in the first letter I read, indicated that some \$100 million would be saved by the implementation of the MSAs through administrative costs, that if all these organizations were somehow brought together under one bureaucratic wing, we could save on administrative costs.

From the moment I saw that report I could not believe it, and I'm so delighted that Price Waterhouse has withdrawn that report. I hope they have second thoughts and investigate more thoroughly. Certainly the fact that

the study has been withdrawn indicates that the company is having second thoughts.

1650

Sure, the Meals on Wheels program may have what you might deem to be a high percentage of administrative cost, but the reason is because the total cost of the program is so small, because they have so many volunteers to do the work. The administration cost is very, very small, but because the whole budget is very small, because volunteers do most of the work, naturally the administration cost is a fairly hefty percentage of that very small budget. But you're not going to save by jamming all the Meals on Wheels programs together and all the other volunteer organizations together, because the volunteers will drop away, and then all these services will have to be purchased.

I have other letters from seniors. I guess the members opposite think all seniors are in support of long-term care. I have two letters here, and I won't read all of both of them, but this is from a lady who lives in the south part of my riding:

"I'm writing to request, to beg, to plead that you oppose the passage of the so-called reform act, Bill 173. My husband, who's 84 years of age, suffers from angina, kidney failure, loss of memory, he is hard-of-hearing and has bad eyesight. Following his discharge from the East General hospital recently, we were fortunate to have a VON representative to call and check on him twice weekly, a service which is invaluable, especially because I am handicapped by a fractured hip which has not healed, as well as I suffer from arthritis and osteoporosis. I am strongly opposed to the government, especially this government, interfering with a perfectly good service," which in this case is the Victorian Order of Nurses.

I don't know how many letters I have received on behalf of the VON, an organization that provides such excellent service to the seniors across the province of Ontario.

Here is an unsolicited letter. You know, the opposition may say that they're form letters coming in, or whatever. This is a letter handwritten by this person, who felt so strongly about the good service that the VON is delivering in Ontario, the good service she's received and that her husband has received, that she took the time to write this letter, and she is so concerned that with the institution of a multiservice agency in Ontario, the VON will be submerged within that structure and that kind of good personal service will be lost, and I share her concern.

I have another letter from a gentleman who is 83 years old. He lives just around the corner from me—I could pick any number of letters—an unsolicited letter, not a form letter, right from the heart. He says:

"I had a problem for three and one half years that required the service of a nurse for half an hour each day until my cardiologist felt that my heart condition was stable enough for the surgery I needed. Imagine the cost of keeping me in hospital if the VON service had not been available. The VON have 5,000 unpaid assistant volunteers and 5,000 staff nurses. Just think of the payroll when the government hires 10,000 staff because of Bill

173, also the pensions and other benefits of this staff on the government payroll for the whole of Ontario."

That is what we are not having the opportunity to talk about because our time has been so limited.

Mr Stockwell: On a point of order, Madam Speaker: A quorum call, please.

The Acting Speaker (Ms Margaret H. Harrington): Would the clerk please determine if a quorum is now present.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: We will resume the debate. The member for Don Mills.

Mr David Johnson: Thank you, Madam Speaker. Now that we have everybody's attention, I have other letters. I'm going to run out of time if I read all these letters, I can see that, but I'd like to mention a letter from the Canadian Red Cross Society.

Mrs Karen Haslam (Perth): There's a surprise.

Mr David Johnson: Who said that? The member for Perth. I guess the member for Perth is surprised that the Canadian Red Cross would write a letter in opposition to Bill 173. I have a great deal of regard for the Canadian Red Cross Society. At this time of year—I know there have been concerns with regard to the blood supply in the province of Ontario, but this problem is being addressed—as we come up to Christmas and the new year, it is essential that we cooperate with the Red Cross and give blood, give the gift of life.

The Red Cross is a good organization. The Red Cross has said that workers are betrayed by Bill 173. "Amendments that will go to third reading now require MSAs to offer positions transferred from a previous employer to bargaining unit employees first before making offers to persons not represented by the bargaining unit."

So the Red Cross has another angle, that the workers are not being treated fairly under Bill 173. There's a completely different angle in terms of Bill 173 that should be explored, from the Canadian Red Cross Society, a well-respected organization regardless of what the member for Perth feels about it.

The final letter, and this is a letter I wish I had time to read, but I don't, is from an organization called Woodgreen, south of my riding in the city of Toronto. It has "coordinated services in a multiservice neighbourhood, a wide range of services to seniors, immigrants and families."

One thought I just pick from the second page is where they say, "It is irresponsible for the government to use cost savings to sell the reform to the public" of Bill 173, irresponsible to use cost savings as a point of selling Bill 173 "when no cost analysis has ever been done."

The Acting Speaker: To the members, there are a number of private conversations going on that make it difficult to hear the member who has the floor. I would ask members to please be a little more quiet.

Mr David Johnson: I thank you, Madam Speaker. It's difficult to hear myself speak, I must say, but I guess it's painful for the members to hear that with the so little amount of House time that's been allocated, we're not going to have the opportunity to talk to these kinds of issues.

We give the impression that there is really no problem here in the province of Ontario, that we haven't got the time to debate issues, issues such as the report the Board of Trade of Metropolitan Toronto put out just last month, called *Killing the Golden Goose*, which indicates that in Metropolitan Toronto there are 200,000 fewer jobs now than there were five years ago. Is it any wonder that the unemployment rate is high in Metropolitan Toronto? Is it any wonder that business is having a difficult time in Metropolitan Toronto?

This report puts forward some of the problems, if I can speak over the din opposite. This report puts forward the problems (1) that the assessment in Metropolitan Toronto is antiquated, about 40 to 50 years out of date, (2) that education costs are totally on the backs of the Metropolitan Toronto taxpayer, and (3) that welfare costs in Metropolitan Toronto have gone through the roof while this government has been in operation, and to some degree when the Liberal government was in operation.

1700

These three problems need to be addressed, but we only have 20 days, so there's no problem here, I guess, from the government's point of view, no problems to address. December 8, we bring down the curtain and the House is finished. We don't talk about the problems of Metropolitan Toronto. Yes, there's a bill that comes forward with regard to the assessment of shopping malls, and that's certainly a problem that has to be identified, but that's a very small component and fault in the assessment problem here in Metropolitan Toronto.

The Workers' Compensation Board: We have closure brought on the legislation concerning the Workers' Compensation Board. Has the unfunded liability of the Workers' Compensation Board been addressed? No, absolutely not. What is it now? About \$11.5 billion dollars at least. So there's another problem that hasn't been addressed.

I found it interesting that the member for Renfrew North was talking about some of the sitting times that we've had in committee public hearings. I thought back to when I was in Ottawa sitting on Bill 143 and the fact that we had one and a half days of sitting time to deal with the people in Ottawa-Carleton. There were hundreds of people who wanted to speak to that issue, and we couldn't accommodate half of them. We had the time. We could have taken the time. Why couldn't we have taken the time to hear all those extra people who wanted to speak? But no. In some cases they tried to double up, but in many cases people didn't get heard who wanted to speak to the issues, and unfortunately that's been the hallmark.

The thing is, what about photo-radar? Did we allow any deputations at all on photo-radar? Not one single deputation on photo-radar. Now there is a wonderful institution in the province of Ontario, raking in the

money, I guess. It's a money grab, certainly. I'm not aware that safety has been improved in the province of Ontario, as was claimed.

Mr James J. Bradley (St Catharines): Not in Georgian Bay.

Mr David Johnson: Not in Georgian Bay. No deputations whatsoever. We're not listening to the people. The people are saying: "Get to work. Solve the problems. Solve the job problems. Solve the unemployment problems. Solve the deficit, the debt."

Mr Stockwell: Call an election.

Mr David Johnson: Call an election. That's right. Wouldn't that be more fitting, to be talking about the election here and a new program for the province of Ontario, a new direction for the province of Ontario, than it would be to talk about sitting a few more hours?

But at any rate, that concludes my time, and I know the member for Etobicoke West will be speaking in a few minutes.

Mr Bradley: I will be speaking in favour of this motion even though I believe that it is unnecessary. The government does want to proceed with certain business. I think that we should be sitting a week further into December. This House, as has been mentioned many times, is sitting only 20 days this session. I am quite prepared to come back to sit the week after and even some of the week after that if that's what the government sees fit to get through some of the legislation it desires.

I would be delighted to come back in January. That's what people think they elected me for, to represent them in the Legislative Assembly and in the committees of the Legislative Assembly, and yet this government never wants the House in session. They want to run the government from the Premier's office and give precious little power even for the government members themselves, let alone the members of the opposition.

But if we're going to be sitting, there are some issues that I think we should be talking about in these night sessions, and I'm going to share them with you at this point. First of all, I noticed something this afternoon. I don't usually talk about these things, but some people get pretty precious about issues.

I was astounded, because I well recall when the opposition was directing questions to certain female cabinet ministers in the House that Marion Boyd, who is now the Attorney General, and I think Frances Lankin, who is now the Minister of Economic Development and Trade, expressed the view that they thought members of the opposition asked questions in a different way to the female cabinet ministers in those days. I was quite surprised by this.

The Acting Speaker: I hope the member is directing his remarks to the motion.

Mr Bradley: Oh, yes, absolutely. So I was watching this afternoon as the Leader of the Opposition was asking questions. The Premier was making noise like a chicken or like a hen. If I were sitting on that side, I would be rising to complain about this, because many people have fought against this kind of stereotyping over the years.

As I say, I don't usually raise this and I normally

wouldn't raise it except that members on that side get pretty precious about issues of this kind, and I was surprised to see that happening this afternoon. I'd wondered if it would happen in the night sessions. That's why I raised it under this particular debate.

I also want to touch on some other issues that I think we could deal with in the night sessions. We have done, as three political parties in this House, a lot for tenants over the years. Premier Davis introduced rent controls back in 1975 when in Metropolitan Toronto rents were beginning to skyrocket. The Liberal government which succeeded it was involved in some rent control legislation, and the NDP as well. We have done, in other words, a lot to protect tenants over the years.

One thing I think we have been negligent in, as a Legislature, is dealing with the problems of landlords. I'm not talking specifically here about rent controls or how much money is charged, but the great difficulty that landlords, particularly smaller landlords, have in getting rid of bad tenants; not good tenants, because the good tenants themselves don't want bad tenants in the building.

Many of us have been contacted by people who, ordinarily, own a fourplex or perhaps six apartments, that's been their investment and they have people in those apartments who won't pay their rent and who know they can get away without paying their rent. They have people in that rental accommodation who will destroy the accommodation, who do tremendous damage to it. These people come to our constituency offices in anger and in tears at the fact that they do not have the power to remove bad tenants, they do not have the power to get damages from these tenants and do not have the power to evict them and get their money back.

This is an important issue I think we have to address, because we have to protect tenants and we've done so. We now have to protect as well the good landlords out there who are having a very difficult time having others meet their obligations in terms of those who are renting their accommodation. I hope that's something the government will take into consideration and address in a session ahead.

Another item that has come forward that many members are getting calls on these days is the item of automobile insurance. I'm not here to point fingers at any government, but I am here to raise the issue, because many people out there are complaining about tremendous increases in automobile insurance, particularly last summer, as the rates were being renewed, and we're still seeing it.

There are people who've actually given up driving vehicles. This may seem strange to some, but when they get hit with premiums of \$2,500, \$3,500 and \$4,500, it makes it impractical for many to continue to drive their vehicles.

I would like to see the government look into this. I would like to see the government investigate. So far we have been able to channel the inquiries to the Ontario Insurance Commission which can intervene, but there seems to be a genuine problem out there with the premiums that are being charged at this time for many people in the province, and I would like the government

to address that issue in the extra hours that we have.

The other item I wish to raise only briefly is the support and custody office: good concept. I think everybody agreed with it. The operations of that office leave something to be desired because they don't have the resources to do the job. I'm sure the people who work in there are at their wits' end trying to deal with these problems.

Certainly some of the spouses who are trying to receive appropriate payment for their children are concerned and some of the people who have to pay are concerned because they can't get as fast a response as they would like. I would hope again the government would review the operation of those offices to ensure that they are helping everybody who wishes to access them.

I have raised in the Legislative Assembly a couple of times the issue of compensation for those who are families of the victims of crime. We have a regime at the present time which allows for people, through the Criminal Injuries Compensation Board, to get certain assistance, but that does not cover assistance or compensation to those who have to travel elsewhere to attend a trial.

I think of the family of Kristen French and the family of Leslie Mahaffy, who will have to travel to another place in the province, another venue, not St Catharines, because the trial is going to be moved. These people will be charged accommodation, transportation, food costs over and above what would normally be the case at home. In addition to this, they will lose pay because they will want to attend these trials, obviously, because of their direct interest in their outcome.

1710

I have asked both the Attorney General and the Treasurer to look into this. I have been optimistic from the responses I have received that some way will be found to compensate these individuals. I think it has to go beyond that to others who are in similar circumstances, and governments must, I think, review this, because the victims of crime out there are finding it very difficult.

Yet I notice that both the crown, which is the prosecutor, and the defence were making a case for Paul Bernardo, for instance, to get the funds that would be coming to him for his defence from the legal aid plan. It seems to me that the victims and their families are the ones who should be appropriately compensated.

I want to also say—and you may be interested in this, Madam Speaker, because you're from Niagara Falls and I'm from St Catharines—that the bill that is coming before the House, and why we perhaps need more time, is a bill dealing with the assessment in malls. My colleague the member for Oriole, Elinor Caplan, had a great interest in this. The Treasurer brought forward a bill but it deals, I understand, only with Metropolitan Toronto. It seems to me there are other problems out there, and I would like to see the government continue to sit well up towards Christmas and then in the new year to deal with that problem, and of course at night, because this motion deals with night sittings.

I also want to deal with some of the issues of fed-

bashing, for instance. I think that can be dealt with at night, when some of the people are at home and can watch what's going on in the Legislature. I noticed a photograph here with the Premier of the province—I think, Madam Speaker, you know the Premier well—with the Prime Minister of Canada. If he were any closer to the Prime Minister, he would be in his pocket. He would be like a kangaroo; he would be in the pouch. That's how close he is in this photograph.

Now, that is what happens when the Premier wishes to bask in the glory of something good happening. In other words, he can be part of Team Canada when it suits his political purposes to be part of Team Canada, when he's part of a trade mission. But I'll tell you, when it comes to making the tough decisions—

Ms Sharon Murdock (Sudbury): How about transfer payments?

Mr Bradley: —such as transfer payments, you won't find this photograph. He'll be missing from this photograph—

Ms Murdock: You are damn right. They are cutting us off.

The Acting Speaker: Order. I ask members to come to order.

Mr Bradley: —because he is prepared only to be there in the good times and to bash the feds in the bad times. I hope he comes into the House at night so we can talk about this.

We also have other problems that are arising. The former Minister of Labour is here. The member for St Catharines-Brock and I would both be concerned with this, and the member for Lincoln, and that is the lockout that is on at Port Weller Dry Docks at this time.

Efforts have been made through the Ministry of Labour. They have some excellent mediators there. As Mr Mackenzie would tell you, we have some of the best people in Canada, I think, in our Ministry of Labour at mediating. I notice there's another meeting set up on December 13, I believe, where the two sides will be brought together, and I hope that we can resolve this strike because I know that the workers who are locked out would rather be on the job working and I'm sure that the company would like to be operating at this time, and our community would like to see it in full operation. I certainly encourage the government to continue its efforts at mediation in this dispute so that we can resolve it.

I also want to comment on the need for respite care for people. I was very concerned when I saw that there may be some cutbacks in the Niagara region, and if we get into a night debate on this, we can talk about it. That is the cutbacks for people, for instance, suffering from Alzheimer's and other situations that have them in nursing homes and in homes for seniors.

I noticed in the St Catharines Standard that there was an article that suggested there may be cuts of a tremendous magnitude, and we've already had a reduction in service because of lack of funding. I hope the government will reconsider, will allow that funding to continue, because more and more we're seeing people with Alzheimer's and Alzheimer's-related diseases who are facing

great difficulty, and the caregivers and their families of course are facing a good deal of concern, of anguish, as well.

I notice as well—and I had to say this because I read somewhere that the Premier was going out west to pay tribute to Tommy Douglas. They're having a special 50-year, was it, celebration or something for Tommy Douglas. I thought if Tommy were looking down, he would wonder whether this Premier should be out there, because I well recall Tommy Douglas was opposed to nuclear power, and I notice that Audrey McLaughlin was prepared to raise this at the NDP convention. She was opposed to nuclear energy being used for various purposes. The member for Peterborough has been eloquent in her criticism of this, and yet when Team Canada came back, one of the greatest cheerleaders for selling Candu reactors to China was none other than my good friend the member for York South, the Premier of the province of Ontario, Robert K. Rae. Now, this may have surprised a lot of people. I think Tommy might be surprised.

Tommy would be surprised that there's Sunday shopping in Ontario at this time, because I remember that the NDP was always against Sunday shopping.

Tommy would be surprised that we have casino gambling in the province of Ontario and that the government is looking at other venues to extend its casino gambling, that they're running all kinds of gambling enterprises. Tommy would surely be shocked at this.

And of course Tommy would be hoping there would be, in his view, government automobile insurance, because that's what he always stood for as well.

So I'll be interested—I watch these on television and read about them in the paper—just what's going to happen when the Premier gets out west to talk to his friends in the New Democratic Party as they pay tribute to a great Canadian, Tommy Douglas.

I promised that I would save some time for one of my colleagues in the Legislative Assembly, the member for Prescott-Russell, who would like to comment on the procedures in this House, the lack of the government sitting time and things of that nature. I know that all of Ontario will be on the edge of their seats to be able to hear the member for Prescott-Russell on this important matter, as they will the member for Etobicoke West, who is about to rise in the Legislature to inform us of his views on matters of great importance.

Mr Stockwell: I was enjoying the comments made by the member for St Catharines and I was exchanging views with my friend from the other side here a minute ago, and there were some interesting points that were made, I think, earlier on in this debate by the member for Don Mills and of course the member from Renfrew.

It is kind of interesting to note, if you work out the dates in the calendar, exactly how much time we will be sitting in this place for the past nine and a half months. It is rather alarming when you calculate exactly the length of time that this government will be in session, being answerable to the people of the province of Ontario. Make no mistake about it. When this place is in session and there is a question period daily and there are

debates during the day, there is an emphasis and a belief by the general public that the government is answering for the decisions they're making on a daily basis. When this House is adjourned and we are not in our places here, there is a belief out there in the broader public that the government isn't in fact answering or doing the things it should be doing or answering the concerns of the private sector or us or the people themselves.

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Assuming that and factoring in the amount of time, the nine and a half months we'll be sitting, it's rather alarming, distressing and I think very concerning, and I think the people should be concerned, because this House will be in session for 20 days in the past nine and a half months.

I don't know where these members come from, and I'm not really certain what the House leader was speaking about earlier when he was condemning us on this side of the House, specifically me, for suggesting that this is not a good record, that this is not something to be proud of, this is not having a government answer to the issues and concerns of the day brought forward by an opposition that was duly elected.

In my opinion, 20 days in a nine-and-a-half-month session leaves the electorate out there cold in wonderment, because I was also out there during those months of July, August, September and October, when we were not sitting, and quite often they'd ask me: "Why are you not back in the House? Why are you not in question period? Why can't you ask a question about some of the issues and concerns that we are wanting you to deal with?"

Mr Bob Mackenzie (Hamilton East): Ever had a better stage, Chris?

Mr Stockwell: No, I say to the member from Hamilton, never.

They say that to check a government, they believe that a government needs to be accountable, and they believe that this place is where a government is accountable. This is the place where they must answer for their decision-making and come clean on issues and the latest issue that hits the newspapers and television stations.

I don't know why the member from Hamilton, who is the House leader, would be so upset with opposition members for outlining their serious concern with the amount of downtime this place had in the last nine and a half months. I don't know how he can stand in his place and somehow explain away to the electorate, to us, to his own caucus, that really, by only sitting for 20 days in nine and a half months, we're doing our jobs, that we're in fact honouring our commitments.

I don't believe that to be the case, and the constituents I speak to around this province, I don't think they believe that to be the case. They're saying to me: "Why is it you don't sit? Why are you not meeting? Why are you not dealing with the government?" I have no really good answer other than to say, "These people don't want to be here."

I understand why they don't want to be here, because in question period, the daily give and take of the political

forum that we are in, sometimes a government doesn't come out as well as it would like to, and this government particularly has had some very difficult periods of time during question period dealing with crises that it has brought upon itself.

The question that then stands is: If you're not going to be sitting for the next few months—at least until the middle of April, I would think—what committees are going to go out on the road and hear from constituents about pieces of legislation that are being brought forward by the government? Do you know what the answer to that is? The answer is: I don't think there are any committees scheduled to sit. Not a committee is scheduled to sit during the intersession. Not a piece of legislation is considered important enough to go and canvass the electorate, to hear concerns and issues from around this province, to have input from the people who duly elect us.

So not only will we have sat for 20 days in nine and a half months, but between December 8 and April 15 there won't be a committee sitting to hear from constituents about issues and legislation and concerns that are being brought forward.

If you think, as the House leader does, that this is some kind of acceptable and reasonable record, an acceptable and reasonable approach to governing this province, I think you're in the small minority, because I don't think the people, when they elected us, figured we'd physically be working on committee or debating legislation for 20 days in nine and a half months.

Mr Kimble Sutherland (Oxford): How many days did we sit last year, extra days?

Mr Stockwell: How many extra days did we sit last year? They ran the clock last year because they wanted to get some legislation through. That's the way this place works. They extended the sitting time.

Mr Sutherland: How many days did we sit last year? That's the fair thing.

Mr Stockwell: When we go back to the people, the people don't say to me—my friend from Oxford shouts out—"How many days did you sit last year?" like you worked a full year last year. They expect you to work a full year every year you're elected. They don't say, "Work this year and take next year off." I don't know a job out there where you can say, "Well, I'll come to work this year, but if I work this year, you can't expect me to work next year too." If that's what you're suggesting on that side of the House, I think you're sadly mistaken. I don't have constituents coming to me saying, "Oh, yes, you worked last year so take next year off."

In nine and a half months, we'll have sat for 20—

Interjection.

Mr Stockwell: I'm listening to the member for Huron.

The Acting Speaker: Order. Interjections are out of order.

Mr Stockwell: For 20 days in nine and a half months we'll be sitting in our place, and during the intersession, not one single day by not one single member of this House will be spent doing committee work.

Mr Sutherland: We will be meeting with our constituents.

The Acting Speaker: The member for Oxford is out of order.

Mr Stockwell: That is the game plan. I understand what the government is suggesting. They're saying: "Because we're not in the Legislature passing legislation, debating and in question period; because we're not in committee, hearing from constituents and understanding their concerns about a piece of legislation; because we're not in committee doing clause-by-clause, working in a detailed format to vet legislation, amend legislation and bring good legislation forward; just because we're not doing any of that doesn't mean we're not working. We could be meeting with our constituents."

I don't think there are many people out there who will believe that argument, who will believe for one moment that five days a week, 10 hours a day, they're sitting down with constituents, working out problems that they have. I think people out there are too smart for that shallow argument. I think people out there believe governments are elected to govern, governments are elected to introduce legislation, governments are elected to sit at committee and hear from constituents and governments are elected to carry forward on agenda items that they think are important and significant and deal with the issues at hand during the day.

If you're only going to sit for 20 days in nine and a half months and you're not going to have a committee hearing between now and April 15, I don't think they're going to buy the fact that these people are on the phone to their constituents, solving issues like WCB problems and UI problems and welfare complaints.

We then have to ask ourselves on this side of the House, what is left for us to argue with respect to a government that's really bankrupt with respect to ideas? Really, it comes down to that. The reason we're not sitting is because we don't have any reasonable or tangible legislation before us. We haven't got any legislation because this government is bankrupt. They don't have any new ideas. They don't have any new plans. They don't have any more thoughts about putting forward legislation that would benefit the people of the province. Fundamentally, this government is absolutely bereft of ideas and programs and thoughts about changing what this Ontario looks like, because it is literally gunshy from the ideas it brought forward and the number of people in this province it's absolutely alienated.

They're absolutely low-scoring in the point totals with respect to the polling in this province. You can understand to some degree why they don't want to be in this place, because every day they're in this place they just make matters worse. That's why we don't come back to this House and that's why they're not prepared to bring forward any legislation.

Ms Gigantes: You don't believe in government anyhow.

Mr Stockwell: The ex-minister from Ottawa Centre said I don't believe in government anyhow. That's not true. I do believe in government. The difference is I

believe in good government. That's what separates us.

You know what, Madam Speaker? I think for 42 years this province had some pretty darn good government. I don't think it would take too long to round up a whole whack of people who would really like the old Bill Davis years, who would really like the old Leslie Frost and John Robarts and George Drew years.

Mr Paul Klopp (Huron): Is that why you call it the Mike Harris reform party? You don't mention the Progressive Conservative Party any more.

The Acting Speaker: The member for Huron is out of order.

Mr Stockwell: I see the member cackling but I don't know who it is.

Mr Klopp: The member for Huron.

Mr Stockwell: Huron. Sorry.

1730

The Acting Speaker: Please address your remarks to the Chair.

Mr Stockwell: So that's the difference. I believe in good government.

Interjection.

Mr Stockwell: That's what I hear. People talk of the good old days, of the 42 years the Conservatives ran the province.

Interjections.

Mr Stockwell: I don't know why the catcalls come across the floor. I don't understand you people. Do you honestly believe that you are roundly endorsed by the vast majority of constituents in the province of Ontario? Do you honestly believe that the constituents in this province come up to me and others and say what a bang-up job you people are doing, and if you only could last another five years? Do you think this is what the people are saying out there? Do you think what they're saying is, "Oh, my gosh, it's too bad we only elected them for five; we should have done it for 10"? Is that what you think the people are saying? You can't be that removed from reality. Do you really believe the hierarchy in your party that says, "Let's only sit for 20 days out of a nine-month period"? You've got to ask yourself—

The Acting Speaker: Through the Chair.

Mr Stockwell: Why do you think the group up there, the big four who sit in the front—why do you think they're saying we should only be in this place for 20 days? Because every time you come in here you go down in the polls. Every time you come in here you pass legislation the majority of Ontarians don't like. Every time you come in this place you stand before us and deal with scandal and bad management and seriously eroded beliefs by your party and the people of Ontario.

I don't think you have to be a genius to figure out that right now, as a government, you're not really popular. Right now, as a government, people probably won't re-elect you. Maybe right now, as a government, it's pretty clear that if you only want to be here for 20 days of a nine-and-a-half-month period maybe your front-benchers have figured it out and they just forgot to tell you guys.

The Acting Speaker: To the Chair, please.

Mr Stockwell: Through the Chair, maybe they forgot to tell you guys.

The Acting Speaker: I would ask the member to respect the decorum of the House.

Mr Stockwell: The what?

The Acting Speaker: Please respect the decorum of this Legislature.

Mr Stockwell: Sure. Sorry. It is a rather interesting dilemma they're faced with, but you know what I find most curious about this—most, most curious? When they were on this side of the House they had some very strongly held positions on some issues.

The one thing I did the first year I was here was I went back through Hansard and I read volumes of Hansards on a daily basis and tried to get a feel of what it was like in this place when the government was on this side of the place. It's curious exactly how dramatic the change has happened. It's truly a metamorphosis that is difficult to comprehend because, when they talk like they do today—they talk about this kind of opposition and integrity about our Common Sense Revolution. The Premier the other day suggested that what we offer up as a Common Sense Revolution is just—it has no integrity because he doesn't believe we can do these things.

I do. But I guess the difficulty I have is hearing from a Premier who talks about campaign promises that we have put out a year and a half, potentially longer, before the coming election, giving us a speech, a dressing-down on integrity and campaign promises, which I said I think we can do in our Common Sense Revolution.

He's the same guy, the very same Robert K. Rae QC who had the nerve in the middle of the campaign in 1990 to release an Agenda for Suckers, which is in fact his game plan on what his government would do if elected—the same, same Mr Robert K. Rae QC.

This has been gone through many times. It's just hilarious what's in here now and it's hilarious that this crowd over here actually wrote this and believed in it. I'd like to see us at night sittings actually debate this thing again.

Mr Peter Kormos (Welland-Thorold): I'm game.

Mr Stockwell: Well, maybe Mr Kormos is game, maybe one of the only guys opposite who'd be prepared to debate this. Maybe Mr Morrow is game, but let me just say—

Interjections.

Mr Stockwell: And the member for Oxford, he's game to debate anything, I know that, including black is white and the grass is blue and the sky is green. I know he'll debate this. He's probably going to try and go around the province saying, "We've in fact carried these things out," and probably he's going to convince people that, yes, they did in fact believe in a common pause day and there is one in this province. He'll debate that; I'm sure he will. And he'll probably believe in a lot of these things he'll go around debating about—"We don't believe in gambling." He'll probably continue to debate the fact that they don't believe in gambling. Of course, they opened a casino in Windsor—really flies in the face of "I don't believe in gambling."

I know my good friend from Oxford, he'll debate black is white, grass is blue and the sky is green.

Mr Ted Arnott (Wellington): He was on the university debating club.

Mr Stockwell: He was on the university debating club and he was the guy who believed in this forum that there shouldn't be any tuition at all to go to university. I'm sure he'll still debate that, even though it has gone through the roof.

This party also said that it believes in 60% funding to education in Metropolitan Toronto. Of course the funding in Metropolitan Toronto, I say to my good friend from York Mills—what is it again?

Mr David Turnbull (York Mills): Zero, I think.

Mr Stockwell: Right, zero. But I'm sure he'll debate it, because he'll debate anything, no matter how wrong he is. So this is what we're faced with.

You know the other thing that really gripes me when we hear about integrity and the attack on our leader about the Common Sense Revolution? It's when we talk about integrity, we still—

Interjections.

The Acting Speaker: Order.

Mr Stockwell: I think these should be debated in night sittings, I say to the near Minister of Labour. I say to her that I think we should debate these things in night sittings. I think these are healthy things to debate.

Interjection: You should talk about it.

Mr Stockwell: And I'm talking about it. I think we should talk about both of these, as a matter of fact: the Agenda for People and the Common Sense Revolution.

Interjections.

The Acting Speaker: Order.

Mr Stockwell: Why is it good to debate these things? Because this is the same party that said we are measured on our integrity and our truthfulness, the same group that ran a campaign last time and suggested that then-Premier Peterson was a liar because he didn't carry through—Mr Kormos, you've got to get a kick out of this—on his commitment to auto insurance.

No, don't shake your head. I've got the transcripts, I say to the member for Ottawa Centre. Any day you want the transcripts, you can have them. He's a liar because he didn't carry through on his promises for auto insurance.

Now, as I remember, your position on auto insurance in the Agenda for People—nudge, nudge, wink, wink—was that you believed in—here it is—government-owned auto insurance, with the right to sue. Now, I'm not sure, but—work with me on this one, Madam Speaker. I'll walk it through on this one.

Let me see if I can work this through—if David Peterson was a liar for not carrying forward on his auto insurance plan and Bob Rae believed in government-owned auto insurance, would that make Bob Rae a—gee, I don't know if I can say that word in here. But according to the criteria set up by our Premier, it would make him something really bad by his own definition. So that's where we're at.

Mr Turnbull: How many times did he call Peterson a liar?

Mr Stockwell: Five times he called Peterson a liar, five times in that thing. Jeez, it's a strange world we live in, isn't it? It's a strange world when you can take a Premier's words and cut them up and put a little milk on them and ram them down his own throat, isn't it? Strange, strange little world.

That's not it; I also remember this integrity-filled, honest, decent group of socialists. They ran a campaign last time that had commercials. You were a member of that party, Madam Speaker. You were a member of those commercials, those fair and honest and open-minded and straightforward commercials that said the government was going to sell Ontario Place. You remember that?

Now, this decent lot here whom we want to sit at nights with for the next four days, who didn't carry forward on their common pause day, Sunday shopping or auto insurance or any of a whole host of issues, including the garbage issue—remember the garbage issue? “No garbage without a full environmental assessment hearing in Durham.” “No garbage without a full environmental assessment hearing in York.” “No garbage without a full environmental assessment hearing in Peel.” Remember those?

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Son of a gun, none of that came true either, because you know what their policy was at the end of the day? They just never told anybody. It was, “If we're not going to put garbage in any of these spots, we're going to eat it.” That was their policy. That's what they lived with. And now what do we have? We had an expansion of Keele Valley with not so much as a second of public hearing. We had an expansion to Britannia with not so much as a second of public hearing. We've got garbage going on the best agricultural farm land in this province.

In fact, they couldn't possibly break their promise—

Mr Wiseman: On a point of order, Madam Speaker: I know the member wouldn't want to make a mistake in what he's saying in this House, but all that land that has been designated for landfill sites—

The Acting Speaker: That is not a point of order.

Mr Wiseman: —is going to be residential-industrial-commercial properties—

The Acting Speaker: Thank you.

Mr Wiseman: —not agricultural land.

The Acting Speaker: Would the member take his seat.

Interjection: Are they growing crops on them?

Mr Stockwell: This is another interesting fact brought forward by the good member from Durham, who I know is an environmentalist and only believes in one dump site in Durham. He only believes in that one. But gee, I don't know. When I went out there to look at these sites, they were growing crops on them. I didn't see any industrial buildings; I didn't see any residential units. I saw crops. Now, here's a quantum leap. Again, you've got to work with me on this one, Madam Speaker. I go to a piece of property and they're growing crops on it. I think it's a

farm; he thinks it's an industrial park. That's the difference.

So what did we have? We had campaign commercials extolling the virtues of this government and the integrity saying, "Did you know the government's going to sell Ontario Place?" Well, the only group that ever sold anything out of this province was this crowd of socialists.

Mr Turnbull: They sold the GO trains.

Mr Stockwell: They sold the rolling stock GO trains—

Mr Turnbull: And bought them back.

Mr Stockwell: —and bought them back from the people they just sold them to and avoided taxes by doing the deal in the Caribbean. Now, are those socialists, Madam Speaker? Is that the crowd that put forward the Agenda for People? Are these the ones who believe in all those socialist ideas, the integrity they brought to this place, who thought nothing should ever move closure on? In a government of 42 years, we moved closure three times. They did it more last week than we did it in 42 years. Those are the socialists I know and have come to love.

Interjections.

The Acting Speaker: We do want to hear the member's comments. I would ask the member not to be so provocative. We would like to be able to hear your comments.

Mr Stockwell: I can't help it. Honest, I can't help it.

Interjections.

Mr Turnbull: Tell us about the Candu reactors in China.

Mr Stockwell: Oh, the Candu reactors, Madam Speaker. The only difference is, the Candu reactors, they thought the Premier sold a whale. They didn't realize it was the actual Candu reactor.

Madam Speaker, I am enjoying and will support night sittings, because if there's any opportunity for us on this side of the House or the great unwashed out there to have more time to view the spectacle of socialism gone mad, it is here, and I will be here and if they would like to continue sitting, maybe, say, 21 days in the next nine and a half months, I'll support that as well.

Thank you for your time. I look forward to next week. You're a wonderful lot.

Mr Kormos: On a point of privilege, Speaker: How dare that member call this government socialist? There's hardly a single policy, look as hard as you want, that one could identify as a socialist policy.

The Acting Speaker: That is not a point of privilege.

Mr Stockwell: On a point of order, Madam Speaker: I was sorry to offend the member for Welland-Thorold and I will withdraw that remark because I know truly the only socialist left over there—well, there are a couple, but him and probably Mark Morrow.

The Acting Speaker: Further debate? I will recognize the member for Prescott-Russell.

M. Jean Poirier (Prescott et Russell): Nous voilà qu'on fait face à l'avis de motion 38 émanant du gouver-

nement qui respecte le Règlement 6(b)(i) que l'Assemblée va continuer de siéger entre 6 h et minuit les 1^{er}, 5, 6, 7, et 8 décembre 1994, à quel moment le Président va ajourner les travaux de la Chambre. Voilà, à un moment où l'Ontario a besoin de prendre le temps, du moins ses parlementaires doivent prendre le temps, pour débattre des sujets des plus importants pour le mieux-être de l'Ontario, que nous sommes en train de débattre un avis de motion qui se veut prêt à nous permettre de débattre jusqu'à minuit la semaine prochaine et demain.

Vous savez, le 13 décembre, ça fait déjà 10 ans que j'aurai été élu à l'Assemblée. Il y a plusieurs années, mes collègues et moi-même des trois partis, nous avons travaillé très fort afin d'établir un calendrier parlementaire fixe, 26 semaines sur 52 semaines, afin que tous les parlementaires, tous les Ontariens, toutes les Ontariennes, les familles des parlementaires puissent déterminer, puissent savoir à l'avance quand et à quel moment nous siégerions à travers l'année. Je pense que c'était une grande amélioration à toute l'incertitude qui régnait avant l'arrivée du calendrier parlementaire fixe, mais je dois vous dire que depuis quatre ans, il n'y a pas grand-chose de fixe au calendrier parlementaire fixe. Depuis le 23 juin jusqu'aux mois d'avril, mai ou juin prochains, au lieu de siéger 26 semaines, nous serons chanceux de siéger six semaines.

Je ne suis pas certain que l'Assemblée va être rappelée. Je doute que le jeudi 8 décembre puisse être la dernière journée où l'Assemblée siégerait avant la prochaine élection provinciale. Je ne serais pas surpris. Ce n'est sûrement pas moi qui vais décider de cette date, mais je crois que c'est une thèse qui n'est pas farfelue quand même. Peut-être que nous siégerons cinq ou six semaines le printemps prochain avant l'appel de l'élection, mais si tel est le cas, au maximum, ça ferait 10 à 12 semaines au lieu de 26 semaines entre juin 1994 et juin 1995.

Je sais que certains journalistes se sont amusés à dire que le travail de parlementaire est un travail à temps partiel. Je trouve ça quasiment bête et méchant, qu'un journaliste qui est attiré à Queen's Park puisse dire que nous faisons notre travail à temps partiel. Encore moins, ça devient difficile de justifier auprès de la population pourquoi l'Assemblée ne siégerait que six à 10 semaines au lieu de 26 dans une année de 52 semaines. Les gens qui connaissent bien le travail de parlementaire savent très bien que le temps que nous passons à l'Assemblée législative à siéger, c'est loin d'être le total complet du mandat d'un parlementaire. Là, les gens bien renseignés le savent.

Par contre, quand on regarde les besoins à combler en Ontario, je comprends très mal que l'on n'ait siégé depuis juin dernier que pendant six semaines. Je comprends très mal que nous arrêtions au 8 décembre. Je comprends très mal qu'à chaque fois, les gouvernements exigent que nous siégerions jusqu'à minuit la dernière ou les deux dernières semaines afin de pouvoir rattraper le temps perdu plutôt que de commencer et de respecter les dates du calendrier parlementaire fixe que beaucoup de parlementaires des trois partis se sont donné il y a nombre d'années afin de mieux connaître l'agenda de l'Assemblée.

Donc, avec toutes ces résolutions en plus qui veulent limiter le temps de débat de projets de loi très importants, moi-même je ne comprends pas de telles fréquences, de telles résolutions pour limiter le débat, de tels agendas pour limiter le temps que la Chambre siège, de telles bifurcations en nous éloignant du calendrier parlementaire fixe. Après dix ans en Chambre, je ne peux que regretter que ce gouvernement-ci ait tellement bafoué le calendrier parlementaire fixe que nous tous ensemble nous étions donné avec grande fierté, après grande consultation des trois partis. Ça, je le regrette, comme parlementaire, je peux vous le dire.

Chez nous, dans la communauté francophone, on appelle ça du tataouinage. J'ai l'impression que mes amis interprètes, qui devront trouver la version anglaise du mot «tataouinage», je leur souhaite bonne chance, mais ça explique pas mal bien jusqu'à quel point on ne prend pas au sérieux les besoins de la communauté de l'Ontario. Qu'on ne puisse pas siéger au moins les 26 semaines tel que prévu dans le calendrier parlementaire, ça, je le trouve épouvantablement regrettable.

The Acting Speaker: I thank the member for Prescott-Russell for his contribution. I believe now the time has expired for debate on this motion.

Mr Charlton has moved government notice of motion number 38. Is it the pleasure of the House that motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

1750

CONCURRENCE IN SUPPLY

Resuming the adjourned debate on the motion for concurrence in supply for the following ministries and offices:

Ministry of the Solicitor General and Correctional Services

Ministry of Health

Ministry of Transportation

Ministry of Community and Social Services

Ministry of Northern Development and Mines

Management Board Secretariat

Ministry of Agriculture, Food and Rural Affairs

Ministry of Housing

Ministry of Environment and Energy

Ministry of Culture, Tourism and Recreation

Ministry of Economic Development and Trade

Ministry of Natural Resources.

The Acting Speaker (Ms Margaret H. Harrington): We will resume debate. I believe at the last debate the member for York Mills had the floor and I will allow him to continue.

Mr David Turnbull (York Mills): When I last had the floor, I was speaking about the absolutely scandalous conditions of the awarding of the Highway 407 contract and the fact that the public has absolutely no access to

the information surrounding this awarding of a contract.

We have very clearly stated that the government has subverted the open, clear, understandable process that was put in place in 1952 by a Conservative government to ensure that the taxpayer and the public at large understood and could see that they were getting the lowest bid. This government has managed to put in place a process which totally subverts that process.

Since the awarding of that contract to a group that signed an agreement with a union that is a favourite of the Premier of this province, the Labourers' International Union, that union has managed to get very cosy with the contractor who received the contract and indeed there have been other awards. One of the main members of the consortium that received the award has gone on to get some \$60 million worth of business on the QEW and a significant amount of business around the Ottawa area.

There is a rating which is used by the Ministry of Transportation called the PQA rating which assesses the ability of companies to be able to handle the amount of work that they've got. There has been no adjustment to the PQA rating of that company since it received the 407 contract, a contract of \$1 billion, the largest contract that any government in Ontario has ever given, yet there has been no adjustment to those ratings.

But I'm not berating the company that got the contract. What I am doing is berating the government for the secretive way in which it awarded that contract: the contract which had built within it an agreement that the union would receive 4% wage increases in year one, 4% wage increases in year two, 5% in year three, 5% in year four and 5% in year five, for a total of 23%, this at a time that we have had arguably, in the greater Toronto area, negative inflation. Yet these inflationary trends that the government is fuelling by allowing these sorts of contracts to be signed is unconscionable.

What do we have? We have no word from the government. The government hides behind such euphemisms as value-for-money contracting. They've never, ever to this day responded that it was the lowest bid. And that's what the taxpayers want to know.

We have a government which during the last election made a commitment in this absolutely laughable document that it called Agenda for People, and as my good friend the member for Etobicoke West has rechristened it, Agenda for Suckers. They made a commitment in here. I'm sure you're interested to know that New Democrats would make \$100 million a year available—

Mr Gilles Bisson (Cochrane South): On a point of order, Madam Speaker: I think it is somewhat out of order for the member to be calling voters of Ontario by very unparliamentary names through this debate and I would ask that he would withdraw that.

The Acting Speaker: I'm asking if the member would care to reconsider his word that he used.

Mr Turnbull: I am so curious as to what I am alleged to have called the voters of Ontario that I would encourage the member to get up and tell me so that I might know and appropriately respond.

Mr Bisson: Madam Speaker, I would never want to

use such words with the voters of Ontario and I think that the member really does disservice to this assembly to speak in that kind of language when it comes to voters.

The Acting Speaker: There is not a point of order here. It is up to the member to decide what words he does want to use.

Mr Turnbull: Do you know, it's so veiled, I suspect that what the member is alluding to is what we called Agenda for Suckers. If that's what he's alluding to, we're talking about the poor people who were sucked in by this government in the last election under false pretences, given this trash that they worked out on the back of an envelope with no thought to it, in full knowledge that we were on our way into a recession. Admittedly, they didn't know it was as serious a recession as it turned out to be.

I'm not referring to anything derogatory about the voters. I think what I am referring to are the morals of a party that puts out a document like this and then has the audacity to suggest that the document that we have put out some one year before the probable election date is wrong and misleading. We have costed our program out exactly.

Very interestingly, I was having a conversation today with the president of Dominion Bond Rating Service, and his comment about The Common Sense Revolution, the document that my leader, Mike Harris, put out early this year so that the voters will have a year to digest it—the president of Dominion Bond Rating Service said of that document, “David, it's almost perfect.”

Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs): You're going to slash and burn. You will close schools, close hospitals.

The Acting Speaker: Order.

Mr Turnbull: Instead I direct your attention to this ridiculous document. The government has been in power for four and a half years and has broken virtually every promise that it made in there. I remember that the day the cabinet was sworn in, Bob Rae, Premier of this province, said: “We are committed to integrity. Yes, we may make mistakes, but when we make mistakes we will admit it.” We haven't heard him admitting anything so far.

I can tell you, the electorate think that this government made a lot of mistakes and they are itching for an election. They're saying, “Please give me a shot.”

I'm really pleased to see the Minister of Finance coming in. I seem to remember about two years ago around this time, it was just as we went into the midnight sessions, that he came in. He slunk in and I said: “Here he comes. He should have a black cap over his head like the executioner.” But he doesn't have that on, and I see his smiling face, which I always enjoy, but indeed I still have to say, how can you live with yourself, putting out a document like this and not living up to what you said you were going to do? How can you possibly live with yourself? I don't know. I ask myself.

There's a commitment on the front page, it's dated August 18, about “Succession Duties on Estates of the Rich and Super-Rich.” Well, we haven't seen any of that.

“Tax Fairness for the Working Poor.” This is a government that has actually increased taxes on the working poor. That's what they call tax fairness. Absolutely incredible.

Let's go on. We've got “Speculation Tax.” That's always a good socialist wheeze; you know, talking about speculation tax. This is the government that has ensured that everybody who owned anything—that it's worth less than it was. I wonder if they're talking about giving something back to the people whom they've just destroyed.

“Interest Rate Relief.” To the best of my knowledge, we never saw any interest rate relief from this government.

We talked about “Driver-owned Insurance.” It seems to me that the government forgot about that. Driver-owned insurance? Well, there we go.

“Job protection.” Well, I'll tell you how much they've protected jobs. At this moment in Ontario we have half a million people unemployed. We've never known that since the Dirty Thirties, half a million people unemployed. In the greater Metro area, we haven't improved at all. We're at about 91% of the employment level we enjoyed before this government came to power.

I do believe, it being 6 of the clock, that we should adjourn this debate, Madam Speaker.

The Acting Speaker: I thank the member. We will resume this debate and he will have the floor at a further date. At this time the House stands adjourned until tomorrow at 10 am.

The House adjourned at 1801.

ERRATA

| No. | Page | Column | Line | Should read: |
|-----|------|--------|------|--|
| 156 | 7702 | 2 | 58 | row morning at 11:30 the Alliance of Breast Cancer |
| 156 | 7703 | 1 | 23 | Health to heed the call of the Alliance of Breast Cancer |

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No. 165A



N° 165A

ISSN 1180-2987

Legislative Assembly of Ontario

Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Thursday 1 December 1994

Journal des débats (Hansard)

Jeudi 1 décembre 1994

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Honourable David Warner

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 1 December 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 1 décembre 1994

The House met at 1000.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS

PUBLICLY FUNDED HOUSING RENT CONTROL ACT, 1994

LOI DE 1994 SUR LE CONTRÔLE DES LOYERS DES LOGEMENTS DONT LE FINANCEMENT EST PUBLIC

Mr Henderson moved second reading of the following bill:

Bill 189, An Act to protect certain rent-geared-to-income Tenants in publicly funded rental units / *Projet de loi 189, Loi visant à protéger des locataires de logements locatifs dont le financement est public qui paient un loyer indexé sur le revenu.*

The Acting Speaker (Mr Noble Villeneuve): The honourable member for Etobicoke-Humber has 10 minutes in which to initiate debate.

Mr D. James Henderson (Etobicoke-Humber): Like many members, I have in my constituency large numbers of senior citizens on fixed incomes living in apartment buildings with rent assistance. Most senior citizens have contributed, and sometimes contributed greatly to Ontario society. Some have risked their lives in military or other service to bequeath to the rest of us a free, democratic and prosperous society. Many of those same seniors who have sacrificed greatly for Ontario and for Canada find themselves late in life on fixed incomes with no hope of increasing their revenues. A succession of governments has appropriately ensured that seniors on fixed and limited incomes will have rent-assisted housing so they can live in decency and in dignity.

However, it is not quite as simple as that. From time to time, a senior citizen who is already housed in a rent-assisted building finds his or her rental costs and/or utility costs increasing at a rate which is unconscionable given that their income is firmly fixed. Currently rents are being increased from 25% to 30% of total income at a rate of 1% per year, an understandable move but none the less one that works serious hardship on persons whose budgets have been stabilized on the basis of a 25% rental figure.

Added to that has been a substantial and less predictable increase in utility costs. Furthermore, many of those seniors are victims of a catch-up program whereby hydro-electric power previously paid for on a bulk-metered basis will now be charged at a much higher rate, sometimes at two or three times the previous monthly charge.

I will quote from a letter recently sent to the Minister of Housing by Bruce Melanson, the chairman of the residents' committee of rent-assisted buildings in my constituency. The residents, says this letter, are "deeply

concerned over the new rent and utility increases." This group requested a meeting with the Minister of Housing to discuss its fears. They go on in that letter to speak of "an unfair...burden on low-income senior citizens" and of "financial hardships for senior citizens," given that there are no specific guidelines in place for utility increases. The letter makes mention of the total increase of rental costs from 25% to 30% of a senior citizen's fixed income and of an unprecedented increase in utility costs.

As the residents' committee observes, many seniors living in Metropolitan Toronto Housing Authority accommodation have no way of gaining extra income other than small increases in old age security, Canada pension and other similar fixed benefits. An increase of rent and utility costs therefore diminishes the disposable income of the senior citizen available to spend on other items and means unnecessary and forced lowering of living standard. In my opinion, Ontario's senior citizens deserve better. I had the pleasure of addressing the Islington Kiwanis this week and I have talked to residents of Mabelle and Dundas streets in my constituency, and I know how strongly seniors feel about these matters.

Let me spell out the figures a little more clearly: A single senior citizen without personal assets and living alone receives as income about \$388 in old age security, with a maximum supplement, depending on income, of up to \$461, often much less. To this sum of up to \$849 may be added a provincial guaranteed annual income supplement of \$83, for a total monthly income of up to \$932. When that senior citizen's rent is increased from 25% to 30%, \$47 per month more goes to rent. To that must be added a utilities increase, which can be of the order of \$15 or \$20 per month, for a total and fully unexpected overall increase of living costs of nearly \$70 per month.

That senior's disposable income after rent and utilities is about \$625, so we are speaking of an immediate decrease of nearly 12% in disposable income. However, since food costs are fixed and may take up to three quarters or more of that disposable income, or about \$470, we are really talking about a monthly budget of about \$150 or less, sometimes much less, after rent, utilities and food. To snatch \$70 out of that \$150 monthly spending allowance means about a 50% or more cutback in a senior's budget for matters other than room and board. How can we in good conscience impose such hardship on our senior citizens? I believe we cannot.

Ontario's seniors are used to bad news. There are rumours of a \$7.5-billion slash in federal social programs. The social safety net that seniors were told they had bought and paid for is unravelling. Seniors struggle on fixed incomes while costs rise and familiar services fall, and I am speaking of such essential matters as health

care, social services, pensions and taxes. Almost half of Canadians over 65 have annual incomes of less than \$10,000 per year before taxes. The erosion of lifestyle for seniors is not a matter of snatching away perks and frills; we are snatching away essentials; we are snatching away human dignity and self-respect.

I think elected members ignore these injustices at their peril. Seniors enjoy growing political clout and will use it. Seniors represent a third of the electorate and will not tolerate politicians who renege on promises and boost taxes and costs and nibble away at pension and other benefits behind closed doors. Seniors are angry with the antics of cash-strapped governments that chip away at their meagre incomes in the name of an attack on wealth. According to Statistics Canada, 60% of women 65 and older in Canada are living in poverty.

The limited but very timely intention of this bill is to protect senior citizens on fixed incomes from punitive increases in rent and utilities. The bill provides that when a senior citizen is lodged in a rent-assisted housing building, the rate of increase in rent plus utilities cannot exceed the rate of increase in their fixed income during the preceding year. I'll repeat that: When a senior citizen is lodged in rent-assisted housing, the rate of increase in rate plus utilities cannot exceed the rate of increase in their fixed income during the preceding year.

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This bill can be criticized for not going far enough. This bill will not affect the government's prerogative to fix the rent in rent-assisted buildings at whatever proportion of income it chooses. I'm not entirely pleased to admit that because I think that such a step in the case of senior citizens would be very warranted. However, in the hope of gathering some support for this bill from government members, I will stop short of that and simply say that once admitted to a rent-assisted housing building, the proportion of fixed income assigned to rent plus utilities cannot increase as a percentage of fixed income.

This modest step allows the government the freedom to fix rents at whatever proportion of fixed income it chooses to accept responsibility for doing, yet protects seniors who have already budgeted a proportion of their income for rent and utilities from unfair post facto increases that would, as I pointed out previously, constitute a 50% or more curtailment and decrease in their disposable income after room and board costs are paid for.

Senior citizens who have sacrificed, struggled and contributed greatly to Ontario and to Canada deserve to live in comfort and in dignity. This bill will not, of course, solve all the financial problems afflicting conscientious seniors, but it makes an important beginning by protecting seniors from a 50% or more decrease in their after-room-and-board disposal income.

This modest step is overdue and I urge all members of this assembly to support this limited yet very just and very timely legislative thrust. I will stop there for now.

The Acting Speaker: Mr Henderson has initiated debate on ballot item number 73. He will have two minutes to summarize. We will now proceed, with each recognized party within the Legislature having 15 minutes

to participate in the debate on second reading of Bill 189.

Mr Allan K. McLean (Simcoe East): I welcome this opportunity to speak in support of the member for Etobicoke-Humber's private member's Bill 189, An Act to protect certain rent-geared-to income Tenants in publicly funded rental units. As you know, the purpose of this bill is to ensure that the rate of rent and utilities increases for tenants 65 years of age and older who pay rent for units that are publicly funded is not greater than the rate at which their income increases.

I will be supporting this bill because the NDP government has taken so much away from our senior citizens—like out-of-country health coverage, like reducing property tax grants, like delisting certain prescription drugs—that I think it's about time this same government gave something back to seniors on fixed incomes in the form of legislation to protect them from hurtful increases in rent.

Perhaps this is the appropriate time for us to be urging the government to put an end to the public housing boondoggle that profits only the large property developers and return to a shelter subsidy program for all people in Ontario who need help in getting affordable and decent housing.

We all know, and this is pointed out quite clearly on page 13 of *The Common Sense Revolution*: "This will eliminate the inefficiencies of government owned and operated housing. By spending money on people instead of bricks and mortar, we will be in a position to eliminate the two-year waiting list for affordable housing."

The PC caucus continues to urge this government to replace non-profit housing subsidies with shelter allowances. Ontario's leading housing sector economists, Clayton Research Associates, estimates the average monthly subsidy would be about \$114 per household for a shelter allowance, compared to the current average of nearly \$1,000 a month to subsidize a household in non-profit housing.

What is a shelter allowance? Shelter allowances are direct payments to households in need of assistance in order to secure adequate accommodation at a cost they can afford. It is a quite significantly different approach compared to that used in non-profit housing, since low-cost housing is not provided directly. With a shelter allowance, the tenant seeks accommodation on the private rental market and subsidies—in this case shelter allowances—are provided directly so that the rent is more affordable.

A shelter allowance program would help all those in needy target groups who wish to apply, especially Ontario's working poor or senior citizens on fixed incomes. Currently, unless a needy tenant receives welfare or family benefits, there is no help until a unit becomes available in a social housing project.

An additional benefit to shelter allowances is that they would allow tenants—like senior citizens—to remain in their own homes if they chose, where they are close to family, services and shopping facilities.

As well, shelter allowances avoid the development of low-income ghettos which can occur in social housing

projects that do not have a mix of incomes.

As an interesting aside, it should be noted that when the member for Scarborough North was questioning an appointee to the East Niagara Housing Authority before the standing committee on government agencies on October 6, 1994, he appeared to support the PC caucus's call for a reform of government housing. Mr Curling, former Liberal Housing minister, said there is a glut of housing on the market and that subsidizing the individual is a much more human way to help an individual live where he or she wants to live.

Well, that's exactly what we are saying in *The Common Sense Revolution*: By spending money on people instead of bricks and mortar, we can end the public housing boondoggle that profits only the large property developers. We can return to a shelter subsidy program for all Ontarians who need help in finding decent, affordable housing.

As I said earlier, I will be supporting this bill, which protects senior citizens on fixed incomes from hurtful increases in rent. I am fully aware that everything we enjoy so much in this province today is a direct result of the hard work, dedication and contributions of our senior citizens so many years ago.

Our senior citizens continue to contribute and have a great deal to offer society today. They have a store of wisdom, energy, expertise and the time to use that energy to teach, learn, create and enjoy life to the fullest. They are also the people who are largely responsible for teaching the rest of us that anything is truly attainable and that opportunity really is ageless.

I urge the government side of this Legislature to support private member's Bill 189. Give something back to the senior citizens rather than taking it away.

The Acting Speaker: Further debate. The honourable member for Prince Edward-Lennox-South Hastings.

Mr Gary Wilson (Kingston and The Islands): Try Kingston and The Islands, Mr Speaker.

The Acting Speaker: Kingston and The Islands, sorry.

Mr Gary Wilson: Thank you very much.

As parliamentary assistant to the Minister of Housing, I'm pleased to rise to respond to Bill 189, the proposed Publicly Funded Housing Rent Control Act. This bill relates to a decision the government took last year as a necessary administrative adjustment to rents in Ontario Housing Corp and other social housing units in Ontario. Under that decision, the share of rent paid by rent-geared-to-income tenants in Ontario's social housing would increase, from a prevailing 25% of income, by 1% every year till it reached 30% of a tenant's income over a five-year period.

Bill 189 proposes that the annual increases in rent for senior citizens in social housing should not exceed the rate of increase in their incomes.

First of all, I want to emphasize that this is not a "rent increase" in the usual sense of the term. This decision is a necessary step to bring the ratio of rent to income in line with the practice in other provincial jurisdictions in Canada. Most other provinces moved to a rent-geared-to-

income ratio of 30% during the past decade. Here in Ontario, the ratio has remained untouched for over two decades.

This government has taken great care to ensure that people who can least bear the burden of this adjustment are not adversely affected. It's for this reason that we exempted people who depend almost entirely on social assistance: those whose regular source of income is from general welfare assistance, family welfare assistance or the guaranteed annual income supplement for the disabled. We recognize that without any other source of regular income to support them, people in this group simply could not have managed to bear even this small adjustment to their rent.

It's important to see this issue in the broader fiscal context. As the most severe recession in six decades took its toll on the economy, and consequently on our government's revenue base, we had to take some tough measures. We had to act to ensure that the deficit did not endanger our ability to continue to provide essential services to the people of this province.

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No society can throw borrowed money at every problem without having to face the reckoning at some point, and in facing up to the fiscal realities, it's important that everyone who is able to accept a fair share of the burden.

For the government's part, we took a three-pronged approach to ensure a fair sharing of responsibility: Reduction in government spending by \$4 billion; saving a further \$2 billion through a social contract with the public sector; and raising another \$2.8 billion in revenue through tax and non-tax measures.

But even in this effort to live within our means, we made sure that those least able to pay were not asked to bear an unfairly heavy burden. In the social contract approach, for example, those earning \$30,000 or less were exempted. And since this government came to office, we've reduced income taxes for 270,000 low-income Ontarians, 200,000 of them taken off the tax roll entirely.

What this means is that in every aspect of the deficit reduction effort, we have consistently adhered to two fundamental principles: minimize the impacts on those least able to pay; and make the sharing of the burden as fair as possible.

Our goal was and continues to be to return Ontario to a prosperity that is based on responsible fiscal management, investing in jobs and maintaining quality public services. It was part of this government's balanced policy of living within our means while at the same time protecting the vulnerable and maintaining the services that people need.

We have to recognize that about 40% of the people in rent-geared-to-income units in our public housing are senior citizens, and excluding that proportion of residents from even this minimal contribution to our efforts to contain costs would only mean one thing: The other households living in rent-geared-to-income housing would be called upon to bear an even greater share of the

burden. Let's remember that this includes not only other senior citizens but also thousands of others in an equally unenviable economic plight.

What this means is that a small number of people will have to bear a larger—and unfair—share of the burden. And to make exceptions that are based not on ability to pay but other considerations could not be considered equitable by any means. That's not the kind of equity we're talking about and I'm sure not the kind of equity this House would advocate.

It's also important to emphasize that over time, senior citizens, even those receiving rent-geared-to-income assistance, are relatively better off than those receiving other forms of social assistance. For example, between the years 1988 to 1994, the consumer price index increased by 18%, while the old age supplement, the guaranteed income supplement and the guaranteed annual income supplement for the aged have, on aggregate, increased by 20%.

For an average subsidized rent of \$257 per month, as is the case in Ontario's public housing, the average increase per tenant is \$10 a month.

The proposed bill would also apply to rent increases for utilities such as hydro. In the first place, we're not discussing a major cost to the tenants. For the average tenant, the change means an extra cost of \$5 to \$7 per month.

But it's more important to note that the increase here applies only to tenants living in buildings with a central meter where individual units do not have separate meters. In such buildings, tenants have been traditionally paying well below the real cost of the power consumed. In fact, for several years in the past, even normal increases in hydro costs have not been passed through to social housing tenants.

This is not only a matter of paying the actual cost of energy a tenant uses. What's equally important is that it would be an inequity to charge actual costs to some tenants and to go on subsidizing others year after year.

I'm also sure people understand that we can't continue to provide quality service to Ontarians if we undermine the economic base that supports these services.

Tenants in our social housing know that in the rent subsidy they receive, they have a service that gives them safe, secure, affordable and good-quality housing and that in that respect they are far better off than the average low-income household struggling in the private rental market.

The fact is that while rent-geared-to-income tenants, including seniors, would pay only up to 30% of their income as rent when the adjustment process is over, others in the private rental market continue to pay much more than that percentage of their income as rent, in some cases as much as 50%.

I think the government's position is clear. We want to continue providing vital services to the people of this province, but we want to live within our means, and the only way to balance the two objectives is to share the burden fairly. By those standards, we can't support the bill.

Mr Gilles E. Morin (Carleton East): It is a pleasure for me to stand today and support my colleague's bill; that is, the Publicly Funded Housing Rent Control Act. As an elected representative of the people of Ontario, I strongly believe that it is my duty to support a legislative measure whose objective is to protect the interests of the needier, vulnerable members of our society.

In this particular case, the member for Etobicoke Humber addresses serious concerns regarding the welfare of senior citizens who live in a rental unit with rent geared to income. In essence, any increases in rent and utilities should not exceed the rate of increase of the tenant's income. This is what the bill states and I agree.

Knowing the difficulties many seniors have in making ends meet, it is evident that any increase in rent and utilities could only cause additional hardship, as it would take away money that might serve for food, medical supplies not covered by the Ontario drug plan or any other necessities.

Housing itself is one of our major sources of security. Certainly we have no choice in the Canadian climate but to seek shelter. But as a developed and progressive nation, we expect a certain degree of safety and comfort. We expect, and rightly so, proper hygienic conditions. We also expect that not all of our revenues will be expended upon rent so that we may also feed and clothe ourselves appropriately and be able to participate to a certain extent in the activities of our community.

It is very distressing to imagine that some of Ontario's senior citizens may not be enjoying the security of knowing that they need not worry about next month's rent. I don't believe senior citizens, or anybody else, for that matter, should be thinking in terms of sacrificing certain needs for lack of affordable housing.

As a former minister responsible for senior citizens' affairs, I travelled across this province and visited many senior residences and communities. I had the opportunity to learn about the many challenges facing seniors. I also became aware of the incredible vitality that keeps them fit and active. Ontario has a terrific senior population, one that is very committed to its community.

Seniors have given so much to this province. If Ontario is as it is today, if it enjoys so many benefits, it is largely due to the seniors who built this province and steered it through difficult times. They were the people working out on the farms, in businesses, in the mines, in the factories. They provided the ideas and the labour that contributed to Ontario's prosperity. They invested in this province in so many ways, and the least that we can do, that the government can accomplish for them, is to ensure that they do not worry about their rent.

It is a well-documented fact that life expectancy is greater for women than it is for men. A large majority of persons more than 85 years of age are women. In Ontario, in 1992, the poverty rate for unattached men 65 years of age and older was 29.2%. The poverty rate for unattached women 65 years of age and older was 45.2%. It would appear that despite the continuing decline in poverty among seniors, the rate of poverty for elderly women remains consistently higher.

One should not conclude that the overall decline in poverty among seniors implies prosperity. A senior citizen may receive a total of \$849 in federal benefits. Add to this the provincial guaranteed annual income supplement of \$83, and the minimum monthly income for someone who does not have any other source of income amounts to \$932. According to Canadian Pensioners Concerned, an advocacy group for the aged, 44% of persons aged 65 or more received less than \$10,000 per year. This revenue hardly covers basic necessities.

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Seniors, as we know, suffer from a variety of ailments, whether rheumatism, hypertension, cardiac or respiratory problems. These health problems can entail additional expenses, such as purchases not considered strictly medical, yet essential to one's wellbeing and comfort.

The point in my view is that for many seniors, adding, for example, \$50 to their monthly living expenses represents a hardship, and all the more so since housing and utilities are basic necessities, expenses which cannot be avoided. I do not believe that any senior citizen in the province of Ontario should be subjected to the stress or discomfort caused by undue increases in rent and utilities. As a society, we should take pride in the decent, caring treatment of the elderly and vulnerable members of our population. This is a matter of justice and a matter of responsibility, a responsibility we share as elected representatives of the people but that we all share as members of the same community.

I would like to add, before concluding, that we must prepare for the aging of our society. We must plan for the day when a greater segment of the population will reach retirement. If current trends continue, tomorrow's seniors may not enjoy the benefits that they are currently receiving. If, as it appears, we can no longer rely upon government sources for income, then we must ensure that safeguards are set up that will protect the interests of vulnerable seniors.

As it stood in 1992, unattached men and women aged 65 years and older depended upon government assistance for over 90% of their income. Couples aged 65 and older relied upon government assistance for 88% of their revenues. This bill is an attempt to provide some safeguards, and I am proud to support it and congratulate my colleague for his initiative and good work.

As I heard some speeches this morning, I strongly believe that politics, accusations of negligence, should not be part of this debate. This is a humanitarian issue. This is an issue that deals with human dignity.

Ms Margaret H. Harrington (Niagara Falls): I do understand and respect the concerns raised by the member for Etobicoke-Humber. I'd like to set this bill in the context of this government's policies and the seniors in this province.

I believe that seniors in Ontario, how we treat them and how they live, are a mark of the standard of our society. In the area of housing for senior citizens, we have Ontario Housing Corp, which is the largest public housing institution in Canada. It owns and manages more than 84,000 units of public housing. The province also

has 17,000 units of privately owned housing through the rent supplement agreements with private owners. Senior citizens represent 44% of everyone who is housed in all of those units.

Also, we have non-profit housing which is community-owned and run, the main vehicle for all our new social housing in Ontario. In Niagara Falls, we have Fairhaven, which was started by the church that I belong to and is now looking to expand. We also have an old school on Drummond Road which was made into a seniors' complex and also a lovely new building on McLeod Road, which I just went to in October and knocked on every door. The people are very happy there.

There are almost 50,000 units of non-profit housing for seniors in Ontario today. Our government has acted to reduce the operating costs of all of this social housing through energy retrofit. As the members opposite have said, energy costs are a very important part of running this housing. We have invested \$28 million for a program under Jobs Ontario Capital. This is going to mean that all of these units in the long term are much more affordable and that heating costs will be controlled. Housing for seniors, I say, is very important and it is very important that it be affordable.

I'd like to very briefly mention other aspects of seniors' lives, besides housing, which also are very important, such as the Advocacy Act. This legislation empowers vulnerable people and promotes respect for their rights and dignity. The Substitute Decisions Act provides new protection for the right to control your own life.

Second, in the area of health care our government has protected the Ontario drug benefit plan and is working to make it more efficient and effective—and it must be. It cannot continue to escalate in cost as it did all through the 1980s. To preserve health care, we must make it more efficient.

We also have long-term care facilities. During very difficult economic times, this government has invested in long-term care. We have, during this past year, used \$1 billion to operate these facilities, and more than \$53 million will be used to expand and renovate.

This government has introduced rights that allow residents more say in their care and to participate in their own plan of care in their lives.

We also have the Long-Term Care Act, which has been many, many years coming. It will receive third reading next week. This bill will provide one-stop access for consumers to a broad range of community-based support services, which are so essential to the lives of seniors to try to maintain their own dignity and live in their own homes, such as providing information and referral services regarding care, making assessments and determining eligibility, developing a plan of service for eligible persons and offering a specific range of support services such as Meals on Wheels, transportation, adult day care and caregiver support—because many women are at home caring for seniors and they do need support—homemaking services, housecleaning, laundry, mending, ironing, preparing meals, personal support services, personal care and also professional services. All

these things our government says are necessary and are the rights of seniors.

Have you heard of the Good Neighbours program which is aimed at reaching out in communities to support each other, especially the elderly, frail and isolated? That's what the Good Neighbours program is all about: independence for seniors to the maximum extent possible.

The quality of life is what it's all about. The right to be respected members of our society is what seniors want and it is what this government is profoundly changing this province for—the future for all of us.

Mr Steven Offer (Mississauga North): Let me say what a pleasure it is for me to speak in favour of Bill 189 as proposed by the honourable member for Etobicoke-Humber. I think that as I speak to this bill, it is necessary to read the purpose of the bill, being a bill “to ensure that the rate of rent and utility increases for tenants 65 years of age and over who pay rent for units that are publicly funded is not greater than the rate at which their incomes increase.”

It is surprising to me that anyone in the Legislature can oppose a bill which carries with it that purpose. I am very much in favour of the legislation and very surprised by the opposition put forward by the government.

As you will know, my riding of Mississauga North is that part of Mississauga that lies north of Eglinton Avenue to the east, west and northerly city limits, and I, in this riding, as well as all of us in our ridings, have a number of communities.

I've had the opportunity over the last while to have a series of public meetings throughout the community, a great number of which were in seniors' housing projects or developments. I've spoken with the seniors who are located in Streetsville at 92 William Street, or 4 Caroline in Meadowvale, at the Edenwood seniors' centre in Malton, spoken at Ridgewood, as well as Etude.

The meetings carried with them a variety of issues, as I'm sure you will be aware. The people spoke about concerns they had at all different levels of government, issues that they wanted to address, whether it be municipal or federal or provincial.

Speaking at the provincial level, there were a great many questions that arose around the substitute decision-making act. But one other issue that was brought forward in each public meeting that I had dealt with the issue of housing, dealt with the issue that costs were increasing over the incomes which were fixed, and how were they going to live their lives in enjoyment and in an enjoyable fashion. Very real, very definite issues.

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So when the member brought forward this bill, I thought, “My goodness, this is exactly the issue that had been brought forward to me from those at Edenwood, from those in Streetsville at 4 Caroline or 92 William Street, from those in Malton at Ridgewood or on Etude Drive.”

I thought, “This was their issue, this was their concern.” They want no free ride. All they want is to be able to live their lives with a sense of dignity and respect, and under the current formula, costs are increasing over their

particular fixed incomes. Is that not our responsibility, if not our obligation, to take a look at that particular issue and see, can it be solved? Can it be addressed? Can we meet the concerns of the good people in Mississauga and throughout the province?

This bill does that. It does it in a way which is sensitive, it does it in a way which is effective, and I believe it does it in a way which all members of this legislature should support. We know of the contribution of our senior citizens to our community. It has been said in this debate and it has been said in many debates that the seniors are in no small measure the reason for the communities in which we live, the services, the sense of feeling, the sense of emotion. The heart is found in our senior citizens and that is how our communities have been built.

It is that type of message which we have a responsibility to carry forward for other generations. This bill does that. This bill carries forward that commitment to community and commitment to person that we have received as a message from our senior citizens. We have an obligation to make certain that a bill such as this becomes the law of the land. We have an obligation to do that because of the message that we have heard from our senior citizens. We have an obligation to do that because it in many ways shapes, forms the emotion under which our communities are built.

Our communities are not just brick and mortar. Our communities are a sense of feeling, are a sense of caring, are a sense of commitment. And that's what a bill such as this does. It carries forward that type of message that we have received from our seniors. Our senior citizens are in many ways an important component of the volunteer aspect of our community. We recognize that so many services rely greatly on the volunteer component. We also recognize, and we have made speeches inside this place and outside, about how important that volunteer component is. Those speeches are right and they are proper, and we recognize that an important aspect of that volunteer component is our senior citizens. They are the people who form an integral and important part of the volunteer sector of our communities.

So if there is another reason, apart from the actual wording and purpose of the bill that this bill should become the law, then we must also recognize that the seniors not only require this protection, but they also continue to build our communities through their volunteer efforts, not only in the past, but in the present and in the future.

And so I am pleased to support this piece of legislation. I hope that members of the government, after listening to members' speeches in opposition, will change their opinion and say, “Yes, we too will support a bill which is kind, considerate and sensitive to the senior citizens of our province.”

Ms Evelyn Gigantes (Ottawa Centre): I am very pleased to be able to join in the debate on Bill 189 this morning. I'd like to start out by saying that the speeches which have been put forward in support of the bill, particularly by members of the Liberal Party, have tended to try and suggest that anybody who opposes this bill

somehow has disrespect, lack of love, lack of concern for people who are over 65 in the population of Ontario. I want to say very categorically, that is not the case.

I should point out too that only one member of the Conservative caucus of the Legislature has chosen to speak on this bill and I can well understand why that would be, since the program of the Conservative caucus, as it's summed up in—what's it called—The Common Sense Revolution, is to sell the units of assisted housing that are in the portfolio of the Ontario Housing Corp and to get rid of, somehow, those social housing units which also provide assisted housing to seniors in Ontario, among other people: unemployed people, the people on social assistance and working poor people who live in the province of Ontario and people who pay market rent in those social housing units.

I'm not impressed by the reasons given for support of this bill. The Liberals have suggested that it is cold-hearted and unsympathetic to seniors to oppose this bill. Let me state the opposite case. In the province of Ontario today, a lot of senior citizens rent their housing, and they rent their housing in the private market. In fact, more senior citizens are renters than the proportion of senior citizens in the population of Ontario would warrant, which means that a lot of senior citizens probably have lower incomes than the population as a whole, so a lot of them are renters in the private market. Only a portion of those senior citizens have available housing assistance through the Ontario Housing Corp housing stock or through non-profit housing. It is a minority of seniors who receive that benefit.

What the bill before us is saying is that the minority of seniors who receive that benefit, compared to other people who receive housing assistance, should have their household income be the direct reflection of what their rent would be and what their utility costs would be. To me, that is unfairness because we know that in the private rental market, of all the hundreds of thousands of people who are renters in the private rental market, a very large portion of them already pay over 30% of household income in their rent.

To single out those seniors who live in assisted housing and say they should not be willing to pay 30% of their household income, when other people in assisted housing do and when people who rent in the private market often pay higher, seems to me to be unfair.

The Acting Speaker: Further debate.

Mr McLean: I have already spoken, but I just wanted to put on the record that I have Kyle—

Ms Gigantes: On a point of order, Mr Speaker: We had checked with the member for Simcoe East to see if, because no other member of his caucus was available to speak to this bill, he would be agreeable to allow us as a caucus to speak longer on the bill and we were refused that permission. I really object to his taking more time in this debate.

The Acting Speaker: Thank you, that is not a point of order.

Mr McLean: On a point of privilege, Mr Speaker: I'd gladly have given my time if they hadn't taken so many

shots at me. What I wanted to say is the fact that Kyle Brown is here from the riding, my constituency office, who is a co-op member, and I just wanted to welcome him to the facility today.

The Acting Speaker: That's really not a point of privilege.

Ms Gigantes: On a point of order, Mr Speaker: I object to the member for Simcoe East using time which is not his to use to make points. May I make some points too on this debate?

The Acting Speaker: Do we have unanimous consent for the member for Ottawa Centre? No.

The member for Etobicoke-Humber please, in summation.

1050

Mr Henderson: I thank the honourable members for their participation in this debate, but how can any member of this Legislature, especially a New Democrat, defend a 50%-or-more cut in disposable income of some of Ontario's senior citizens? I'm disappointed and I'm shocked.

Ontario's seniors have taken a number of hits recently from this government. We have removed 230 drugs from the Ontario drug benefit plan, including such agents as antihistamines and certain sedatives important to quality of life. Seniors are threatened with user fees, copayments, deductibles and tinkering with a list of those eligible to receive benefits.

Auto insurance legislation has denied retirement seniors the income replacement and loss-of-earnings benefits, while their premiums continue to be used to add to these benefits to the coverage of working people. Seniors with good driving records will subsidize younger, high-risk drivers. Seniors face a nearly 20% increase in auto insurance premiums and we slapped an 8% retail sales tax on top of that.

Beginning in 1992, seniors are now required to pay for day and weekend use of Ontario provincial parks.

The government is changing long-term-care legislation in Ontario, raising the daily copayment amounts and threatening, more recently, the existence of independent service providers like the Victorian Order of Nurses and Red Cross homemakers.

Since 1992, seniors no longer receive cash rebates for sales and property tax, and we have recently reduced out-of-country OHIP coverage from \$400 to \$100 per day at a time when hospital stay in the United States is about \$2,000 a day.

These hits have been absorbed by seniors in recent years, compliments of this government, and it is surely high time that we took action to offset those hurtful changes and to restore dignity of life to senior citizens in Ontario. This bill takes a modest, small step and I urge all members of this Legislative Assembly to support it.

The Acting Speaker: Thank you. This completes the debate on ballot item number 73, second reading of Bill 189. We will further deal with this bill following the debate on ballot item number 74.

Mr Alvin Curling (Scarborough North): On a point

of order, Mr Speaker: I wonder if we could move for adjournment, since nothing is happening.

The Acting Speaker: We are running slightly ahead of the normal schedule. It's my understanding that the member for Durham Centre is on his way to the Legislature. If we will just be somewhat patient for a minute or two, we will be right back in business.

Mr Curling: On a point of privilege, Mr Speaker: Let me exercise the privilege of speaking on the bill that has just been moved in the House.

The Acting Speaker: Do we have unanimous consent? No. It's not a point of anything.

CHILD AND FAMILY SERVICES

Mr White moved private member's notice of motion number 52:

That, in the opinion of this House, the health and wellbeing of children, youth and young families require the active involvement of our whole province in supporting parents and communities and in moving to a better future through strategic investments in children and youth; and

We must examine the services and supports that we offer to young families in order to improve and refine the quality of life for all children and youth in Ontario, including an amelioration of child poverty and family violence; and

Goals and research measurements must be developed to measure how well and how quickly we are progressing as a community in the interests of our children and youth; and

We can enter the social security debate that the federal government is initiating with a strong set of proposals with an aim to enhance the welfare of families and to address the blight of child poverty that has worsened with federal neglect over the past two decades; and

We must build upon the high quality of our public services that have been both socially and economically accountable to the people of Ontario and which are the envy of virtually every jurisdiction.

The Acting Speaker (Mr Noble Villeneuve): The honourable member for Durham Centre has 10 minutes in which to open debate, after which every recognized party will have 15 minutes in which to debate the honourable member's motion.

Mr Drummond White (Durham Centre): Professionals and leaders in our province have led the way in the area of family and social policy. We initiated a mammoth undertaking in social welfare reform and now the federal government is following along, but its hearings are mired by fears of a cut-and-slash approach.

I am particularly interested in addressing the issue of child and family values today. I'd like to first acknowledge the work of the Premier's Council and its report, Yours, Mine and Ours. Their work created a unique and innovative report that should be seen as a beacon of wisdom and inspiration. My discourse today will highlight a few issues that have already been brought to the public's attention through their excellent work.

The resolution we're debating today will not produce

nirvana nor be as broad-ranging as it deserves to be. Still, I'm struck that the federal debate of five years ago on a similar topic, child poverty, was something of a milestone. It was the swansong for Ed Broadbent, a part of whose riding I share at the provincial level.

Time and again social activists reflect upon the intent of those words, of those declarations from those federal representatives, and find that their words have not been borne out either in deeds or in any genuine commitment to the good of children and youth. They are held accountable for their pronouncements just as we should be here today.

We know how much families are changing these days. A generation ago, almost all families consisted of a dad who was the breadwinner and a mom who stayed at home with the kids. Family life was shrouded by myth. Life wasn't quite like the Father Knows Best stereotype. In fact, I remember reading about the actress who played Kathy on that show. Do you remember the button-nosed, pigtailed kid? She ended up as a drug addict and a petty thief, twice attempted suicide, and then at 40 she was born again.

We were a much more homogeneous society a generation ago. If life wasn't any easier, families were a lot less complex than they are today. Now only 12% of families are reflective of that stereotype. More families take on a greater range of forms than ever before. Single parents, step-families and childless families are far more common than in the past. Young women go through dramatically demanding role changes virtually overnight. Parents, particularly young parents, are now finding that they have only a limited amount of time for their children.

Our community is becoming increasingly diverse. We have cultural, linguistic and ethnic resources that didn't exist in the past. Consequently there are new and different attitudes to child-rearing and to family overall. These are influences upon our children's behaviour that we can do little about. Contemporary writers even speak of the end of childhood.

We aren't always pleased with these changes. There's something both comforting and nostalgic about earlier times. Still, we can't go back to the way things were nor would we really want to.

I mention these issues not because they're signs of an inevitable and intractable decay of family values. No. Families are strong and viable, but we are changing, and now more than ever before we have to find creative responses to the dilemmas that we're faced with. We have to develop resources as communities to support families and children, as we are now not as we once were.

Most of us would like to say that we can manage just fine without any supports whatsoever, but that's now rarely the case. Parents feel alone and uncertain. Working mothers often feel inadequate next to the stereotypical memories of their own mothers. I've seen middle-class moms speaking of how much they're struggling. The single mom who works full-time still expects that she by herself can provide everything that the traditional family could. Relying upon her family and upon child care

providers does not make her any less of a mother; her family is simply different, and with community supports, it can be just as strong as a traditional family. Fathers, too, question their roles, as those roles are changing.

1100

As parents, we no longer have that resource of an extended family. Now we rely more upon our community and upon more formal supports. That's why a high quality of day care is so important, why junior kindergarten and creative recreational resources are vital, why a range of support services for healthy families is crucial. Families are no weaker or stronger than those of the past, only different.

The family of the 1990s should have resources for their children and their future that will make them increasingly viable. Our community as a whole should commit itself to ensuring those resources. Much more could be done if we were to redefine our family values for the 1990s to acknowledge where we are now. The alternative is unacceptable. If we do not invest in children and youth, we may be dooming ourselves both economically and socially. Social investments have just as real a positive benefit as do investments in medical research and services.

It's incumbent upon all of us to accept our responsibility for assisting parents, particularly young parents, in the vital task of preparing the future generation. Much more could be done if we were to establish clear goals as communities, as a province and as a nation, clear goals that acknowledge those changes to family structure.

The Premier's Council report speaks of a need to take a population-based approach to addressing the needs of children and youth. Through a population-based approach, we'll be targeting improvements for families in general and not just those who are the most disadvantaged. Our goals should reflect the overall health of our communities, the wellbeing of all the children and youth in our communities. We know that those are wise investments as well. Every dollar spent on early education and support for children will save some \$7 being spent later on in a person's life.

Much of the treatment for children and youth is an attempt to mitigate the effects of society's most entrenched problems: family violence, racism, sexism and poverty. After a child's life has been scarred and limited by the deprivation of child poverty, our community services can only control the social outcast with criminal sanctions or attempt vainly to mediate the disease of addiction. Certainly, my experience as a child welfare worker was one of battling the results of poverty and inequity in the twisted lives of victims. I was battling a social problem on a case-by-case, individual basis.

This approach to the needs of our whole community, the population-based approach, includes the setting of goals for all of our children and youth and may sound overwhelmingly ambitious in a time of government restraint. Conversely, the challenge is too profound to ignore. By setting these goals, we're able to clarify what it is that we're doing well, and we'll be better able to target our spending.

One major result of the past debates on child poverty has been a movement of our social agenda. We're now willing to see how profoundly our community is wounded by the increase in child poverty that has been visited upon us, long-term problems such as academic and career failures, poor health and the lost potential of so many young lives, young lives foreshortened needlessly. Child poverty needs to be addressed with real political will, both provincially and federally.

Our provincial government cannot go it alone. Our initiative, the Ontario child income program, needs the support of the federal government. The federal government is supposedly reviewing this social policy, and it refuses to support poor children in our province until that review is completed. We've already thoroughly reviewed, and we're ready to go ahead with substantial reforms. So, as with child welfare reform and child care reform, we're awaiting the federal commitment. Waiting is not something that's easy for those whose lives are so seriously affected. In the meantime, a huge social deficit is being created.

When we speak of goals or outcomes, we need to measure those outcomes. We should know, community by community and throughout the province, whether we are achieving our goals. Often in the social policy arena our goals are loose or too broadly stated. As a result, we're constantly frustrated, as we have yet to reach them. When we set goals that are measurable, though, we can take some real satisfaction in achieving them.

For example, yesterday it was revealed that there was a dramatic reduction in the number and proportion of low-birth-weight babies in Canada. We know that's a reflection of the good work in health promotion from our community and provincial programs. Our children are becoming healthier.

Problems such as family violence are yielding to our concerted approach. We can compare our communities to those in neighbouring states and know that we have one half of that level of child abuse.

In order to be accountable to our communities, we need to have those measures. We need to develop a report card that tells us how much we've achieved and what we've yet to do. Research can be a little daunting, but the waste of uninformed expenditure would be much worse. We owe it to the families, youth and children of our province to subject our programs and our investments to the rigours of research and evaluation. We need to set informed goals. Our children deserve nothing less.

The Acting Speaker: I wish to thank the honourable member for opening debate. You will have a further two minutes to sum up at the end of the debate.

Mr Charles Beer (York-Mackenzie): It's a pleasure to join in the debate this morning. I want, at the outset, to commend my friend and colleague for the motion that he has put forward and to indicate that I will certainly be supporting that motion. I want also to say, however, to the honourable member that I think that one of the tragedies of the last four years, during the period of this government, has been that we really have had an opportunity to move on a number of these issues and we have not done that.

It's interesting to look at a number of the documents and reports that have come forward over the course of the last five or six years. I want to make reference to Children First as well as to the Premier's Council document and would draw members' attention as well to the work of the standing committee on social development, which earlier this year produced the report Children at Risk after a series of public hearings.

A great deal in fact has been done to set out what the problems are that are facing us in terms of dealing with children and with families, but I think what we have lacked is a real sense of political will and political leadership in making sure that we organize ourselves to have a direct impact on improving the lives of children.

I'd like to, as my friend did, note some of the things that the Premier's Council has advocated, as well as to go back to Children First. The report Children First came out in the fall of 1990. The Premier's Council report, which came out this year, I think followed to a great extent much of what had begun in that Children First document. I think it's useful to look at some of the things that were said in both of those reports in terms of the kind of direction that we need now to take.

Of particular interest, and there were a number of things in the Children First report, but I think there are two things that I want to underline; one was that they set out what they called a statement of entitlements. They tried to define: What is it that all children are entitled to? What do we as a society believe the children should have?

They put forward that, in the view of their committee, all children have fundamental entitlements to, firstly, affectionate care from consistent, caring and competent parents and other caregivers; secondly, an entitlement to conditions of care that permit normal physical and emotional growth and development, freedom from family and societal violence, physical harm, sexual molestation and exploitation, neglect, emotional harm and abandonment.

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They added an entitlement to the support of all individuals or groups whose work and lives touched children and whose obligation is to promote the best interests of the child; an entitlement to necessary health care and treatment, adequate nutrition and housing; an entitlement to educational challenges and opportunities; an entitlement to opportunities to participate in their own cultural community, to profess and practise their own religion or to use their own language; an entitlement to opportunities to participate in the community and society as a whole; and finally, an entitlement to the protection of the above entitlements by society as a matter of substantive as well as procedural right.

In the report that the Premier's Council brought forward, an excellent report which I think all members in this Legislature support, in one of the chapters of that document the Premier's Council said that we need to set out what our beliefs are. I think that in reading the beliefs that directed their recommendations we see a great deal of similarity with the earlier report of Children First.

The beliefs that they outlined were:

First, "All children and youth must be valued for who they are now, as well as who they will become as adults. Healthy children and youth are a benefit to us all."

Second, "Parents and those who take on parental responsibilities have the primary role in raising healthy children and youth. They must be supported by their communities in that role."

Third, "All children and youth must have the opportunity to participate in their own development and decisions about their lives." How do we find the way to ensure that children and youth become involved in those decisions?

Fourth, "All children and youth must be able to grow and develop free of violence and abuse, discrimination and inequity."

Finally, "All families in all forms must have a stable and adequate standard of living to allow them to provide for the wellbeing of their children."

Those were the basic value systems, the beliefs, that the Premier's Council put forward and which I think reflect very much what has been noted in Children First, in the Better Beginnings, Better Futures program and indeed in all of the debates over the last three or four years. There is, I think, an underpinning there where we can say: "We can identify those beliefs, those principles, the directions. Now, how do we get on and do it?"

My colleague mentioned as well the concept of the report card. This was something that came through the Premier's Council report and I think is very valuable: that we need to have a report card which will tell us as a province how well we are doing in helping children and youth, and that this report card would focus on outcomes; that what we're after here is not just looking at the agencies or the services that are there, as important as they are, but we have to determine, are those agencies, are those services, really helping us? Are they doing what needs to be done? So the focus, then, is on the outcomes. If we can do that, we will be most successful in reaching our goals.

The question, then, is, how do we begin to do that? A proposal that has come both from the Children First report and from the Premier's Council has been: "Let's look at models. Let's look at, for example, the school as a hub. Can we not find better ways of bringing those services together in the community?"

What I want to say to the honourable member is that as we go about then finding how we help communities help families and help children, let's not fall into the trap that we did as we looked at long-term care of imposing one single model. I think we have to be much more specific in saying to communities, "You tell us how we can best organize to ensure that we're going to meet the needs of kids." As we go forward, let's make sure that in fact truly happens. The school as a hub is one model that can be very effective and very helpful. There may be some others as well, but if we're to have success, it's got to be done at that level.

At the provincial level the focus has to be on breaking down the barriers between the ministries. We know that Health, Community and Social Services, Education, those

three, plus Housing and Recreation, have a tremendous impact on the future of children and families, and we need some real leadership at that level, at the provincial level, to break down the barriers among those different ministries so that we can ensure that the communities get the kind of help they need.

In closing, I want to just read from a pamphlet prepared by Fiona Nelson, in fact part of her pamphlet for re-election to the Toronto school board. She has been a member of the Toronto board and has spoken out greatly on issues affecting children. I think it is a good summary to what we want to do as we go forward from this day.

She says: "If we are serious about our children, if in fact we are serious about our own future, since it is today's children who will expand the economy and pay the pensions, invent, invest and probably even re-engineer the way we live, we have to start now. We can no longer divide children's needs among social agencies. The child's life is seamless. We cannot postpone it, parcel it out nor schedule it for our own convenience. We have to act now, together, mindful of the child's needs."

For this Legislature it is in a very real sense too late for us to take action. The action which I hope will flow from the debate we are having today is that all of us in this Legislature will make a commitment that the focus, one of the key priorities following the spring election, for whatever government is elected and indeed for whoever is elected to this place, must be on improving children's services and supports for families. If we can make that the focus, as we have on other issues, whether it is in terms of dealing with seniors or others, then I think we can have a profound impact. But that is going to require leadership at the provincial level in a much more effective and concentrated way than we have seen over the course of the last four years. I think we need to resolve to make sure that happens.

It is with that sense that, again, I support the honourable member in this motion and believe that we can go forward and bring about much greater success in dealing with children and families.

Mr Cameron Jackson (Burlington South): I'm pleased to be able to participate in any debate in this Legislature that deals with the issue of children, children's services and children's rights. At the outset, I must advise the House that I had great difficulty in reading this motion. I'm trying to find out exactly what the member meant. I listened carefully to his opening statements, and for the governing party I would have suspected that we could have gotten some clearer indication of what he's attempting to do with this resolution.

His previous one about a social worker act for Ontario—very clear, very specific, very focused. We had one on adoption reform—Mr Martin is here today—very clear, very focused, very comprehensible. I'm wondering what service is paid to this agenda when it wanders so significantly, involving everything from the definition of a family to society's responsibilities. We can enter the social security debate that the federal government has initiated with a strong set of proposals, but I haven't heard any strong sets of proposals coming out of this government.

As my colleague from the official opposition has recently referenced, I can trot out here in the House today at least a half-dozen reports that have been completed by the current government which provide a whole series of recommendations, but we can't nail down the government to determine what it is actually supporting. It's sort of like shovelling fog or nailing Jell-O to the wall to find and get some specific proposals.

It's no secret that the federal government is currently undertaking a review of social security supports for Canadians. By way of an aside, I had the pleasure of meeting with and listening to a lengthy presentation from Mike Duffy in Ottawa several weeks ago. He was quite upset because in fact what he found out was, in cross-examination in the scrum, that the federal Liberals were quick, within three days of the announcements, to indicate that, "We're going to be discussing this for a good three and a half years, and the first substantive cuts aren't going to occur until after the next federal election."

I just hope that Canadians don't get too terribly excited about the whole concept of social assistance reform in this country because, by Mr Axworthy's own announcement, the substantive cuts or changes are not going to occur until after the next federal election. Perhaps the member opposite is safe in a very general—we can participate in a debate without anything specific because, quite frankly, it won't really be that meaningful over the course of the next four years.

In fact, Mr Axworthy is in the province today. His travelling road show is actually in the great city of Toronto at the moment, but in terms of what our government's proposals from the province of Ontario are, we have not seen any of those. I had rather hoped that something as important as how to support children shouldn't be left as an open-ended question for the government of the day, certainly not in the very last months of its full term in office.

1120

Certainly, in the beginning of the term, Zanana Akande was able to present a report *Children First: Report of the Advisory Committee on Children's Services*. We've not, to date, received any official response to the recommendations and a position from the government setting out its support or its indifference to any of the recommendations, and this was tabled in November 1990. I had hoped they might have gotten to some of those recommendations.

The other document that's been referenced by the member who proposes this open-ended paragraph is the reference to *Yours, Mine and Ours: Ontario Children and Youth* report by the Premier. I've quoted this document about four times in the House since it was distributed back in May 1994. The reason I've had the occasion to quote it is because I find very many of the proposals in here quite supportable. In fact my leader, Mike Harris, has publicly enunciated support for specific recommendations that are contained in this report, and interestingly enough, our public statements on that came prior to the completion of this report.

It's not political one-upmanship. All that means is that there is very wide support across the province of Ontario, and that can be found in a specific reference on page 10

of The Common Sense Revolution. If you compare the two documents, there are commonalities with respect to the support for children in need in both the Mike Harris Common Sense Revolution document and the Premier's council report. We suspect that the Premier's Council, albeit laid out in their report, has not necessarily indicated that its last budget or its pending budget in particular is going to target and focus on the challenge that children with special needs and children in poverty require in order to be supported adequately in the province of Ontario.

One of the areas that are of concern to me is justice. As we know, children in this province are extremely vulnerable. On several occasions we have been calling for reforms to justice that affect children. I think it's inexcusable that, depending upon what part of the province of Ontario your child is sexually assaulted in, that determines the level of justice he or she receives in our courts. I have brought case after case to the floor of this Legislature of children where the judge has indicated that he doesn't feel the proceeding to trial will sustain a conviction simply because of the age of the children and because they don't have the court resources in order to do it.

Now we have the court resources; we have them in London, Ontario. They're very individualized and they're very focused, and it should be of no surprise to the members of the House that the rate of conviction of paedophiles and sexual assaults against children is double in the London court because of these additional computerized and videotape support services to enhance and equalize the victims' opportunity to present their case in the court. But in all the other jurisdictions in Ontario they don't have that, so it's unequal justice for children who are sexually abused.

All members of the House are aware that when children who are sexually abused don't receive the necessary supports and counselling and the whole concept of empowerment from the fact that someone, an adult, believes them, that manifests itself in all sorts of problems in our schools, in their interpersonal relationships, even in conflicts with the law. We know everything about it, and yet are we doing anything about it?

For as little as \$150,000 we could provide these services in each of our courts, and yet we've got \$15 million for the symbolic gesture of putting bilingual road signs on our streets. The fact is that if these are the priorities for our children, then we should be doing something about them.

I raised the Frederick Metcalfe case with the minister. Here's a 2-year-old boy living in a family on social assistance and the mother's boyfriend beats this child so unmercifully that he's handicapped for the rest of his life. I've read the transcripts of the court. I've read the appeal court's decision why it's not proceeding and it is deeply, deeply disturbing because it flows from the believability and the testimony of a 2-year-old child who is handicapped for life. Actually, the Metcalfe case occurred not far from your jurisdiction, so I know the member's aware of the case.

These are the kinds of issues we have to be speaking

up for. These are the kinds of issues we have to be fighting for for our children. This is not a poverty issue alone. It has a lot to do with the rights of a child, and we're not seeing the kinds of justice reform so that children aren't treated so unequally or inequitably in our courts.

The member opposite made reference to day care. I need not remind him that we have severely criticized his government's approach for putting private sector operators out of business while the total number of available day care spaces in this province dropped. The member opposite frowns, but the fact is that in the first two years, \$100 million was injected into the day care configuration of this problem, but we actually saw a decline in the number of spaces.

My party doesn't support universal day care, universally accessible to anybody who walks in off the street and demands it. We can't afford it. But surely to God your political party, which has been uttering that support for all these years, clearly should have seen the folly of your interest in turning the day care debate into an ideological debate, into an economic issue involving the punishing of private operators, instead of keeping foremost what everybody in this province thought was your objective: to increase access.

I just have to quote the Toronto Star, which was very critical of the Minister of Community and Social Services, who's currently engaged in a debate with the federal government and holding up the transfer of moneys. I think the member opposite should be talking to the minister and saying, "Look, day care is important to the member opposite in his region and his minister's holding up those discussions." If that's what's implicit in your motion about entering the debate with the federal government, then I ask your government to please do different tactics than the ones you're currently employing with day care.

I want to talk about the elimination of preschool speech-language services. I've raised with the Minister of Health the fact that preschool children need speech-language services. God knows, we've got all the money in the world to teach second- and third-language instructions in our elementary schools in this province, but for children at age two or three, before they go into school, we're withdrawing support services so that they can learn at least one language to communicate in our society.

Joseph Brant Memorial Hospital is frankly about to maybe show half a million dollars to a \$1 million—I can't call it a profit; hospitals don't profit—surplus at the end of this year, and yet they cancelled a program worth only \$50,000 and threw 100 children to the mercy of the private sector out in the community to receive speech-language services. When I raised it with the minister she thought it was terrible, but nothing's been done about it. So I say, if that's our definition of what we're doing, where's the political will to respond to it?

I wish I had time to go into concerns that were expressed by the Provincial Auditor on this very sensitive issue around support for social assistance recipients, and children in particular. The auditor was extremely critical of the government's approach to collecting moneys that

are owed to families. When a father refuses to make his payments under a support order, then what's been happening is that a disproportionate amount of that money has been routinely written off by another arm of the same government, and the auditor's saying that causes more money to go to those families, which is unnecessary if it's gotten from the father, who legally owes it in the first place.

The auditor went on and he had several examples of where this family support plan came up. He commented that "arrearages totalled...\$700 million." Just think if we had that money to free up for children's services instead of having to pay on behalf of those defaulting fathers.

The auditor went on to talk about child welfare services and found that there were still many outstanding problems with the prevention programs provided by children's aid societies. Due to cutbacks, these expenditures have been reduced by \$13.4 million.

1130

I hate to bring it to the House's attention, but prevention programs are critically important for children's aid societies because they deal with protecting children who are being abused, physically and sexually abused, and the society has to maintain its legal responsibility in these matters.

I want to close by suggesting and just briefly referring to some of the concerns that have been raised by my leader, Mike Harris. There's no question that we have taken a very strong position on social assistance reform. We have indicated that we feel the group that must be protected are those sole-support families in Ontario, the mothers raising children, and we figure there are about 200,000 welfare families headed by single parents in this province.

The Mike Harris Common Sense Revolution clearly says that we should be targeting programs for children in need, community-based programs such as community nutrition programs for school-aged children, a learning and earning and parenting program, part of which has been referenced in the Premier's Council report—Mike Harris commits specific dollars to that program; as many as 23,000 teens and young adults could be helped by this program—homework assistance centres to assist our school boards, child support enforcement. There are thousands of children paying the emotional price for their parents' separation. Instead of arguing that case, we should be reinforcing the legislation.

I'm still trying to understand what the member opposite means with this resolution and I hope that in his summary comments he can let the House know.

Mr Tony Martin (Sault Ste Marie): I first want to thank the member for Burlington South for his usual non-partisan contribution to the debate here this morning and wonder out loud just where he's been living for the last four years or what he actually reads. He has no understanding or knowledge of the child income program that was such a vital part of the social assistance reform package that we put together and shared with this province over the last three years and in the end couldn't afford to implement because of the cutbacks that we

experienced from the federal government, a program that we have now in front of the present federal government and that we're optimistically hopeful will see the light of day at some point in the not-too-distant future.

His comments re child care and child care spaces: It's got to be a joke that he's making here this morning. We've increased funding for child care by 62%, from \$350 million in 1990-91 to about \$565 million in 1994-95. We've expanded the child care system by adding 21,000 new fee subsidies and over 18,000 new licensed spaces. I could go on and on.

In my own community, we've had two new day cares open up and another one that we're thinking about and working on developing, and each one of those represents new spaces.

Mr Jackson: You have had five close. Be honest. You've had five close.

Mr Martin: So I don't know where the member opposite, who is continuing to chirp over there—his 15 minutes obviously wasn't long enough to spin his web of mystique here this morning. I just want to, for the few minutes I have, though, put on the table my comments re this question.

I came to this place from having run a soup kitchen for just about 10 years. In 1983, 1984, 1985, when we first started up, one of the things that astounded us was the number of children who came every day for lunch.

It started out with 10 or 15 and by the time we were finished, we were averaging somewhere between 100 and 125 children every day coming to our place from the neighbourhood schools, three of them, to get lunch. It certainly caused a lot of us to ask questions, questions that we're still asking and I'm still asking here today in 1994 as we look ahead to a new millennium and hopefully a new way of doing business that will see us coming to terms with the question of how we deal with children, how we deal with people, how we deal with people who live in communities.

I think, as the member has suggested in his opening statement re the resolution here this morning, that we definitely do need to redefine family values, as he said, but we need to go even further than that. I think we need to redefine family, and I think we should be wanting to look at family in all of its makeup today.

For me, yes, family is the traditional mom and dad and the kids in many senses, and that can be a very healthy situation. But we all know in many of our own personal circumstances and neighbourhoods and communities that that isn't necessarily always the healthiest of conglomerations. So we need to have another look at that. I think we need to be looking at family as groups of people caring about each other and to be doing things that support that in whatever positive way we can.

I agree as well with the member from the Liberal Party who suggests from the studies that he presented here this morning that we also need to look at family within the context of community and community supports, because that's where we will get the resources to help each other and help children become all that they have the potential to become. We need to develop communities that support

groups of people who care about each other. We need to respect the voice of families and groupings of people who care about each other in this exercise, and everything that we do should speak to that.

Certainly in this government we have done a tremendous amount of consulting with children and with parents. The Ministry of Community and Social Services, in trying to redefine how they do business in the communities they serve, have established children's services councils that include parents and consumers of their services. In the Ministry of Education we've established the parent council so that we might get more direct input from them re what we will do with education down the line and into the future.

I just want to in closing say that I am really happy that the member has presented this resolution here this morning and hope that everybody in this place will learn from it and be willing to support it in the end.

Mr Steven Offer (Mississauga North): I'm pleased to join in the debate on this motion by the member for Durham Centre. Part of the resolution that he puts forward reads, "We must examine the services and supports that we offer to young families in order to improve and refine the quality of life for all children and youth in Ontario, including an amelioration of child poverty and family violence." And the resolution goes on through other paragraphs.

I have no objection and I'm supportive of this type of resolution. In so doing, however, I would like to bring forward some of the realities of the area of which I'm a member, not just in the area of Mississauga North, of the city of Mississauga, but rather the region of Peel.

The member for Durham Centre will know that there is in the region of Peel a task force called the Fair Share for Peel Task Force. This task force is made up of representatives of the United Way of Peel Region, the Social Planning Council of Peel, the Children's Aid Society of the Region of Peel, Family Services of Peel, Peel Children's Centre and Community Living Mississauga. They have made in the last three and four years some very serious attempts with the current government. They take it that the region of Peel does not receive its fair share of funding for social services for children, youth and families from the provincial government. As a result, the resources available to meet the growing demands of Peel's population are totally inadequate, leading to services that are increasingly unavailable and inaccessible.

I make this statement not as one that I have made up, but rather I am reading from the Fair Share for Peel Task Force report, the latest of which is October, just two months ago.

The Fair Share for Peel Task Force has as a mission statement "to promote the optimal and holistic development, growth and potential of children while supporting and strengthening the integrity of the family."

No one can debate in opposition that type of mission statement. They understand that action is required in three areas: that Peel's social services sector is inadequate to respond to the social service needs of Peel's population; secondly, that the current level of funding of Peel's social

services for children, youth and their families does not reflect the proportion of Ontario's population represented by Peel; and thirdly, the pattern of current level of funding over the past several years does not reflect the dramatic rate of population growth in the region. The fact that the current government fails to reflect the growth in the region of Peel has resulted in a tremendous impact on services to children, to families in need, to women. Let me give you some facts in the region of Peel.

1140

A child in Peel region receives services in the amount of \$96.52 per capita, while the Ontario per capita expenditure is \$261.68. This results in Peel kids often having to go outside the region to receive the help they need. In the area of child care, the provincial government provides \$200.42 in child care funding for every child aged 0 to 9 in the region of Peel, while the Ontario per capita funding is \$364.35, again a tremendous impact to those in the region of Peel who require these services.

People with developmental challenges receive services funded at a per capita rate of \$32.80 in Peel, while in Ontario it's \$63.67. This again causes an incredible hardship, and has for many years, in the region of Peel. It can be cured, it can be solved, if one adopts a funding proposal which indeed recognizes growth in certain areas. The Peel region happens to be one of those areas.

On June 13, 1991, I brought a resolution into this Legislature speaking to the Fair Share for Peel Task Force, and the member for Durham Centre spoke to that motion. It is interesting that his opening comments talked about the Fair Share for Peel Task Force but indicated that this is a provincial House, not a regional municipal council. I take exception to the words that were said by the member at that date, because it isn't a regional matter. This is a people issue, this is a child issue, and the speech that the member has made, the resolution, of which I am in support—let us be very clear—has not been followed by any action of your government.

Ms Margaret H. Harrington (Niagara Falls): I want to thank Mr White for bringing forward this resolution about improving the lives of children. We need to think about family values. What are family values? Back in the 1950s, we could think of dad with a shirt and tie, or else his hardhat and boots, going out to work, and 2.5 kids and a white picket fence and mom in the kitchen with her apron on, maybe baking pies, making sure she had supper on the table and the clothes were ironed.

These are all the outward signs, but within this façade, all was not well. We know now that there in certain cases could be violence against women and even cases of incest. Family values are all about bringing up children who are whole, capable individuals, adults capable of reaching their full potential, young people who have self-esteem, like many young people we have here today, and also a respect for others. Isn't that what family values are all about and isn't that what a family is for, to have young people with self-esteem and also respect for others?

We used to say that behind every successful man there is a supportive woman. What about behind every successful woman there is a supportive man? Or how about

beside every successful person there is a supportive partner? This means a 50-50 relationship of support, of raising children and of really equality in our society. To reach this type of society, this government can do two things: first of all, enhance women's role in our society, and secondly, eliminate family violence. How can we do these things? I'd like to list a few suggestions.

First, we must help women's opportunities in business. Recently, I went to a reception of Jobs Ontario Training employers, and these were all women, very successful women entrepreneurs in our society.

We could also help change the banks' attitudes towards dealing with women in business.

Just a few days ago on CBC radio, they were talking about young children in grades 1 or 2 in the classroom and how the boys dominated in using the computers. These types of things we have to look at. We must never allow young women to fall into the Cinderella syndrome, which is that the object of life is to meet the right man and then life will be lived happily ever after.

Day care is very important. We must turn day care into a public service, as Minister Silipo said at the Ontario Coalition for Better Child Care lobby last Monday.

Let's be careful about advertising that stereotypes and objectifies and thus limits women. Fifteen-year-olds might think that all they should aim for is being a glamorous person, but obviously, as in this advertisement in the Toronto Star yesterday, there is much more for young women to do and be in our society.

Finally, let's remember December 6, 1989, the Montreal massacre of young women who were engineering students. Young women have every right to be engineers in our society, and I suggest, in closing, that our society's attitude must change in order to improve the lives of children.

Mr David Winninger (London South): I would first of all like to commend the member for Durham Centre for bringing forward this important resolution, based as it is on the fine work of the Premier's Council embodied in Yours, Mine and Ours, a non-partisan, multisectoral volunteer organization that advises the Premier on such important matters.

I really think it's important to highlight, as the member for Durham Centre did, that it's incumbent upon every one of us in society to provide the children who will shape our future generations of society with the education, the health care and the social services that they so vitally need. There's no victory, as the Premier said recently at the convention, in eliminating a budget deficit only to find we have a larger social deficit. Hungry kids are a deficit too; crime and family violence are a deficit too. One need only walk a few blocks west of the Legislature to witness homeless youth living on the streets, families with children relying on food banks, mothers and children fleeing violence to find refuge in shelters.

The demographics of our society, as the member for Durham Centre pointed out, have indeed changed dramatically as opposed to the 1950s. I'm one of those 12% of families, I guess, where my spouse works in the home, and that perhaps makes political life for me a little easier

but that could change any day. Although the member for Durham Centre talked about "father knows best," certainly with the time I spend at Queen's Park, mother has to know best, and fortunately that's a sign of the changing times.

But there is not too much time remaining to me and we have a colleague who would like to speak, so I'd like to briefly touch on some of the programs that we have in London to meet the kind of community supports and services that the member for Durham Centre calls for.

Most recently, a program was established called Kids Count. It's a revolutionary new approach to helping out children most in danger of failing in school. It's based on neighbourhood groups coming up with ways to help children in their areas succeed in school, to break the cycle of hunger and despair that condemns many children to lives of poverty and despair.

The program in fact brings together the federal, provincial, municipal governments, public and separate school boards, health and social agencies, businesses and other community partners and neighbourhood groups in an unusual alliance that breaks down the kind of barriers that were addressed both in this House and also in the Yours, Mine and Ours report. That, in addition to the Children's Services Network and the Smart Snacks program in London, I think will go a long way towards mending some of the cracks in the system and helping children get a leg up in life early on when it counts the most.

1150

Mr Gary Wilson (Kingston and The Islands): I too am pleased to rise to support my colleague's resolution this morning and, I would say very clearly, to put the lie to the member from the opposition who suggested that we haven't done anything on the Children First recommendation, because one of the programs that came out of that is the Better Beginnings, Better Futures initiative.

The government is spending \$5.73 million a year shared among three ministries, and I'm very pleased to say we have one of the programs in my riding called Better Beginnings for Kingston Children. It's an exciting program that is doing very good work in dealing with the kinds of issues that have been raised this morning to promote healthy child development both for the children involved and their families as well as the community.

I have some testament from the program. I'd first like to very briefly read some of the things that the program does. This comes from Suzanne Flanagan, who is a project coordinator in Kingston:

"The home visiting program focus is on child development for families with children from zero to four. The home visitors are trained to provide prenatal education, breast-feeding support for new mothers, infant care support to new parents, teaching and informing parents on ways to promote healthy growth in their child's physical, behavioral, cognitive, social and intellectual development and provide support to parents who may be facing a crisis."

I want to say too that it's understood that there would be a lot of scepticism in communities when you have

demonstration projects like this, but one of the ways of overcoming that is to include many people from the community itself in the program. Suzanne writes: "Two thirds of the 19 staff are community members who have been hired and trained. In the two years that the project has been operating in north Kingston, there have been only two staff members leave." That's two thirds of 19.

I also have some testament from people using the program. One letter writer says: "I also say this for the other mothers who attend the centre," that is, that they're all getting a lot of support from each other, "especially those who feel that the centre's the only place they can turn to when they have questions or personal problems."

Another writes: "I am a mother of two young children, one three, the other one. They help me," that is the people at the centre, "with my three-year-old son. If it was not for Better Beginnings, I would have lost my mind. Better Beginnings gave me support when I was breast-feeding my one-year-old daughter."

The Acting Speaker: The member for Durham Centre has two minutes in summation.

Mr White: An hour's debate is not enough time to explore the issues before us, but I think what we have done is outlined something about our beliefs and something about our commitments.

My friend from York-Mackenzie spoke of the work of the Children First report and the work that's outlined. He went on to talk about a focus on outcomes, which is a focus on how children are doing. I think that's very important.

It's not an issue of which ministry is doing what. I know that our government, and my many colleagues and ministries, have given me ample, ample catalogues of what we have done. My friends have talked about specific programs. My friends from London Centre, from Kingston and The Islands, have talked about those programs. It would be easy to get into a tit-for-tat in terms of what program is doing what, but we haven't done that. Instead we have focused on what our beliefs are, what our supports are, what our intent and commitment are.

I want to compliment my friends from Niagara Falls, from the Sault and those areas as well, because that's what the basis of these programs is, a basis of values and commitment, a commitment for the betterment of children and youth, an attack on child poverty. I mention child poverty again because in my experience, without those basics, without food and nutrition, without clothing and the wherewithal, the economic security and wellbeing, the other issues are really largely irrelevant.

I want to thank my friends, my colleagues, both within the community as a whole and within this Legislature, for their contributions to this debate, and hope that we will use some of the ideas we have shared today in our fight towards a better future for our children and our families in this province.

The Acting Speaker: This completes private members' time for this morning. Do we have unanimous consent to proceed with dealing with Mr Henderson's motion in spite of the fact that it's not quite 12 noon? Agreed.

PUBLICLY FUNDED HOUSING
RENT CONTROL ACT, 1994
LOI DE 1994 SUR LE CONTRÔLE
DES LOYERS DES LOGEMENTS
DONT LE FINANCEMENT EST PUBLIC

The Acting Speaker (Mr Noble Villeneuve): We will be dealing with ballot item number 73, standing in the name of Mr Jim Henderson. Are there any members opposed to a vote on this ballot item? If so, will they please rise. Is it the pleasure of the House that Mr Henderson's motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

I declare the motion lost.

CHILD AND FAMILY SERVICES

The Acting Speaker (Mr Noble Villeneuve): We now will deal with ballot item number 74, standing in the name of Mr White. Are there any members opposed to a vote on Mr White's motion? If so, will they please rise. Is it the pleasure of the House that Mr White's motion carry? I declare the motion carried.

Being almost 12 of the clock, this House stands adjourned until 1:30 this afternoon.

The House recessed from 1156 to 1330.

MEMBERS' STATEMENTS

NORTHERN HEALTH TRAVEL GRANTS

Mr David Ramsay (Timiskaming): My statement today is addressed to the Minister of Health concerning the northern health travel grants. Jesse Cantlon is three and a half years old and has been travelling back and forth to Sick Kids with his parents since he was four months old and diagnosed with a malignant brain tumour.

There has never been a problem with collecting from the travel grant system until now. The July 25, 1994, visit was paid for travel as far as Timmins instead of Toronto, the reason being that your ministry said he could have seen a specialist in Timmins.

Jesse's problems vary from month to month. When his parents bring him to Sick Kids hospital he sees a wide array of specialists at one time, such as a neurosurgeon, a nephrologist and an oncologist, because other health problems have occurred due to his illness. All tests and scans are compared in relation to the past tests over a period of time, as well as looked at for the probable relation to his cancer. All these specialists are paediatric subspecialists.

Some of his visits to Toronto include the cancer clinic as well as Sick Kids. His parents never know what specialist he has to see until they get there. It all depends on the results of his examinations. He now has kidney problems that are due to his cancer. Although Jesse may see several specialists when he goes to Sick Kids, only one signs the travel grant form.

Mrs Cantlon has telephoned the ministry concerning this problem and has been told that she had to submit a list of all the specialists Jesse may see when he goes to Toronto. This is not possible because there are so many doctors at Sick Kids whom Jesse has to see. I would ask

the minister please to correct this problem and all the northern health travel grant problems for children right across northern Ontario.

DRINKING AND DRIVING

Mr Allan K. McLean (Simcoe East): The net designed to catch motorists who choose to drink and drive is a lot tighter, thanks to the many police officers who are staffing the RIDE programs across Ontario.

Drinking and driving is one of the most destructive, yet one of the most preventable, causes of injury and death on our highways today. Drinking and driving costs our health care system \$100 million annually. In 1992, drinking and driving resulted in 11,966 hospital admissions, 568 died in alcohol-related motor vehicle accidents, and 31,292 drivers were charged with impaired driving in Ontario.

It is a sad fact of life that warm feelings associated with this festive season often result in too much drinking and tragedy on our highways and roads.

Many people still fail to realize that a drinking-and-driving conviction could cost them as much as \$20,000. A first conviction for impaired driving with more than 80 milligrams of alcohol in 100 millilitres of blood is a fine of not less than \$300 and a licence suspension for one year. A second conviction brings a minimum 14-day jail term and a licence suspension of two years. A third results in a 90-day jail term and a licence suspension of three years. Insurance rates skyrocket after a drunk driving offence is registered on your record.

I urge everyone to take care this holiday season and throughout the year. Please do not drink and drive.

Mr Speaker, to you and to the members in this Legislature, I wish you all a Merry Christmas. Scottish ancestry doesn't allow me to send everyone Christmas cards.

JOBS ONTARIO COMMUNITY ACTION

Mrs Karen Haslam (Perth): I'd like to take a few minutes today to inform this House about good news for my riding.

Recently, the associate minister of Culture, Tourism and Recreation, Irene Mathysen, and I announced a \$3-million Jobs Ontario Community Action grant to the Stratford Shakespearean Festival. This grant will enable better wheelchair accessibility through a major renovation to the theatre's front-of-house facilities. It also involves improvements to general seating and an expanded lobby.

It is always rewarding to receive funding in my riding; however, more important to me are the benefits of a good working relationship I have with one of the major employers in Stratford. Currently the festival's annual economic benefit to the area is estimated to be more than \$100 million.

Last week, I also attended the official opening of Greenwood Court seniors' residence and nursing home. This was a joint project between the Avon Mennonite Church and Tri-County Mennonite Homes. While our government funded this project at approximately \$4.4 million, again it was the participation of and partnerships from the community which made this a special enterprise. Teamwork between the Huron-Perth separate school board, the Perth public school board and the city of

Stratford on the Stratford Education and Recreation Centre project opened the way for Tri-County Mennonite Homes to buy the land and receive the necessary approvals and funding.

I am proud to represent Perth county, a community that builds on cooperation, teamwork and partnerships.

WORLD AIDS DAY

Mr Tim Murphy (St George-St David): I rise today to talk of World AIDS Day, which was commenced approximately six years ago.

As you know, it is a debilitating and awful disease which has taken the lives of many Ontarians and in fact takes the lives now of more Ontarians under 65 than cancer does. It is an awful thing and it's a disease that we need to talk about and be open about and to rise above the fear that is out there.

I have with me today Helen Mah, MPP for a day from Jarvis Collegiate, who is, interestingly enough, quite conservative on economic matters, but on this issue is a strong proponent of action, a proponent of making sure that the government acts to provide funding for AIDS, to make sure that people don't have to go on welfare to get access to AIDS drugs and to other drugs related to catastrophic illness. She is also, despite her conservative instincts on economic matters, a proponent of same-sex rights and benefits, which is much to her credit and of course a view that I support as well.

I'd like today to honour those who are working in the field of preventing and hopefully one day curing this disease and pay, if I can, a brief tribute to a friend of mine who passed away two years ago, James Thatcher, who I think would be pleased to see that, finally, catastrophic illness drug funding will be coming.

CHILDREN AND YOUTH

Mr Cameron Jackson (Burlington South): True is the saying that a government is measured by how it establishes priorities.

I recently had confirmed for me just how high a spending priority young offenders are for the NDP. At the Syl Apps Youth Centre for young offenders in Oakville, a foodservice consultant recommended that a rethermalization foodservice, complete with trolleys, be implemented there. The food trolleys were imported from France at a cost to taxpayers of \$14,322 each. The rationale for this expense is that, "The equipment allows staff to provide both hot and cold meals to residents at any time...and encourages positive social interaction between residents and staff."

And now for another story. On Friday last I visited M.M. Robinson High School, academic home to more than 1,500 students in north Burlington. Members of the parents' advisory committee showed me extensive and chronic structural problems that are so severe that by any standard they would be a risk to the safety and health of students and staff. How is it that during the years of extensive funding for school construction, M.M. Robinson High School was overlooked? Where was the member for Halton Centre and her Liberal government then?

In these difficult economic times, I want to remind both the current NDP and the past Liberal government of

their misguided priorities. The young offenders at Syl Apps appreciate five-star meal service. However, the law-abiding students at M.M. Robinson school need to know that their government values their educational experience, and at the very least it should be a safe and healthy environment in which they can learn.

FESTIVAL OF TREES

Ms Jenny Carter (Peterborough): I want to congratulate all those who organized and contributed to the Festival of Trees recently held in Peterborough.

Founded in 1991, the festival has raised over \$500,000 this year for three local health care organizations. Hospice Peterborough uses the funds to support its work with families and individuals coping with terminal illnesses. The foundations at St Joseph's General Hospital and Peterborough Civic Hospital use the funds to purchase equipment, fund building projects and enhance patient care and continuing education for staff.

The Peterborough Memorial Community Centre was transformed into a Victorian village at Christmastime, depicting Peterborough at the turn of the century. There were many activities for young and old alike, combining the creative talents of people from all walks of life. I was particularly touched by the Tribute Tree where decorations were hung in memory of loved ones.

I'm proud of the work invested in this coming together of the community and bring it to your attention as a role model for neighbourhoods throughout the province. This year, over 1,500 volunteers, 900 volunteer entertainers and hundreds of sponsors, including many local businesses, participated in the festival. I thank all those who helped organize this year's event and I congratulate them for its tremendous success. In particular, I'd like to thank Margaret-Ellen Disney, this year's chair, for honouring Peterborough with her creative and innovative energy.

1340

HIGHWAY 416

Mr Hans Daigeler (Nepean): On Monday, the Minister of Transportation made statements in this House that must not go unchallenged. In fact, when I read Hansard, I got very angry at his obvious and blatant fudging of the facts.

He says the 416 completion can't be accelerated without federal help. Whoever spoke of acceleration or fast-tracking, Minister? I was personally assured by not one but two successive NDP ministers of Transportation that the 416 would be completed on time. Ed Philip said so to me in this House on November 1, 1990. Gilles Pouliot, on October 22, 1991, in the estimates committee, made the very same promise, also to me. For the government's and the public's edification, this was done without any reference whatsoever to federal help.

Then a year later Bob Rae and Gilles Pouliot, on the sly, cancelled the completion, but they were caught red-handed by CJOH-TV and me. Completing the 416 now is no "acceleration," Minister; it's getting it off the shelves where your NDP government put it.

The new minister said to me on November 2, "When Bob Rae's government makes a promise, we keep it." Well, keep your word, Minister, even if it's unusual for

you. Fulfil your double promise of November 1, 1990, and of October 22, 1991, and complete the 416 now and on time.

SKILLS TRAINING

Mrs Dianne Cunningham (London North): Sadly, we do not have a workable labour force training vehicle in Ontario. On November 23, 1992, Bill 96, which established the Ontario Training and Adjustment Board, OTAB, a crown agency responsible for the promotion, funding, coordination, design and provision of programs and services for labour force training, received its first reading. Four years after the election of this NDP government, we do not have even local boards established. The bureaucracy is outrageous. The cost in dollars and human resources time is indefensible and plain irresponsible. In fact, without local boards we have no labour force training vehicle in Ontario.

A local board implementation guide was released recently as a result of the September 25, 1994, announcement by Lloyd Axworthy and David Cooke when they launched this local training board process. The very first step was launch meetings, and in London recently they were told that the purpose is "to begin discussion on an outreach strategy and a process for selection of nominees to sit on local boards."

We've spoken to a number of people who attended the November 1 meeting. Educators and trainers made up the largest group, and after a lengthy and difficult discussion between people with competing interests, they were unable to agree on a representative to sit on this temporary administrative group. They've putting ads in the newspaper. What an ineffective process. How time-consuming. How costly. We're not surprised: OTAB is a failure, and we have no vehicle for our young people or the workforce.

OKTOBERFEST WOMEN OF THE YEAR

Mr Mike Cooper (Kitchener-Wilmot): As you know, Mr Speaker, a lot of times we get wrapped up in our business down here and we don't have to time or we fail to recognize a lot of the hard work and energy that's going on back in our ridings. Today, I'd like to recognize a few people.

On October 13, a reception was held in honour of the Oktoberfest Women of the Year recipients. These women who were recognized this year are all exceptional in their areas. The categories and recipients are as follows: advocacy, Maria Alvarez; art-history-literature, Nicole Fougere; business-entrepreneur, Tracey Johnson-Aldworth; employee, Gonda VanRoosmalen; homemaker, Janet Stevens; humanitarian, Bettye Clark; professional, Dr Josephine Naidoo; senior, Cecilia Duval; sports-recreation, Joyce Legatt; and young adult, Jill Carter.

These women were recognized by their peers, friends and families because these women have dedicated themselves to the greatest form of expression. It is a message that spills forth from them for their community, for Ontario and for Canada.

As Ontarians, we are beginning to recognize the excellence that is inherited in our province. We are beginning to stand up with pride for what we believe in

and for what our province represents. Nowhere is that more evident than in these recipients and the other women who were nominated in these categories.

To all the recipients and nominees, we thank you for your commitment and expressions of yourself.

VISITORS

Mr Gordon Mills (Durham East): On a point of order, Mr Speaker: I would like to ask the House to join with me in welcoming the many Second World War flying veterans who are here as my guests today from my riding. They sit up there in the members' gallery. They've served Canada well, and they're here today for the first time to see how the Legislature operates. They're from the Golden Wings and from the 420 Squadron, and I ask the House to give them a warm welcome.

The Speaker (Hon David Warner): The member will know that he does not have a point of order. However, the special visitors he has now introduced are most welcome to our chamber.

STATEMENTS BY THE MINISTRY AND RESPONSES

WORLD AIDS DAY

Hon Ruth Grier (Minister of Health): I would like to draw the attention of the House to the fact that today is World AIDS Day. It's a day to acknowledge and honour both the people who are living with HIV and AIDS and their friends and families who share their pain and struggle. It's also a day to reiterate our commitment to do everything we can to prevent the spread of HIV.

In Ontario we have had almost 15,000 people infected with HIV since the beginning of the epidemic. Many who were infected in the 1980s are now getting ill.

When our government was first elected, we made a number of commitments to the HIV/AIDS community. We made AIDS a priority.

One result was the Premier's announcement yesterday that we will shortly put in place drug coverage for patients in economic need. The government's goal is to eliminate the need for patients with a catastrophic disease from having to go on welfare just to get adequate drug coverage.

We promised to establish the AIDS bureau and give it a stronger community focus. We did that, and the feedback we've had on the work of the bureau has been very positive.

It was expected that we would expand our community-based program. We have, and continue to enhance this program and build on its strength.

We made a commitment to make our advisory committees more representative of the community. With the Ontario Advisory Committee on HIV/AIDS, we've done that, and more than half the members are consumers, advocates and activists, and we continue to rely on their guidance and advice.

We promised to offer anonymous testing. Ontario now has 24 anonymous testing programs in place across the province. Compared to our other testing programs, a significantly higher proportion of people tested anonymously are HIV-positive. That means the program is

reaching people who are at risk and counselling them so they do get care and don't spread the virus.

We promised to develop a strategic plan for AIDS in Ontario. In December 1993 we released *Building on Our Strengths: Focusing Our Efforts—Ontario's HIV/AIDS Plan to the Year 2000*.

We promised to review AIDS funding. We now know where and how all the money for AIDS is spent, and we're looking at ways to ensure that it is used effectively.

Also, we established the HIV observational database program to monitor the disease to gain a better understanding of how it progresses and the factors that affect long-term survival.

With regard to the aboriginal community, a steering committee made up of representatives of off-reserve and urban aboriginal organizations will very shortly distribute a strategy to the community for consultation.

We promised to assess the network of outpatient clinics and their ability to meet needs. That project led to a comprehensive needs assessment that is now helping us refine existing programs and plan for the future.

This morning I was pleased to attend the official opening of the new Wellesley Health Centre. A major component of the centre is HIV care. Each year more than 1,000 people with HIV and AIDS will be able to get one-stop access to medical and to non-medical resources.

I was also pleased to announce the establishment of a new, joint HIV social-behavioural-epidemiological studies unit. This will be run in collaboration with the University of Toronto at a total cost of approximately \$300,000 a year. Its studies will help us better understand risky behaviours and prevent the transmission of the virus.

In closing, I would like to encourage members of the House to wear a red ribbon. Red ribbons have been used for a number of years to symbolize awareness of issues related to AIDS, support for those who have it and remembrance of those who have died. Wear them proudly, but wear them with respect.

1350

Mrs Lyn McLeod (Leader of the Opposition): I am very pleased to be able to rise and join with the minister in marking international World AIDS Day. I believe the red ribbon has become a symbol of our compassionate awareness of the toll that this tragic disease takes and of our common commitment to doing something about it.

In this regard, we have welcomed the government's indication that it is prepared to extend drug coverage to those who are needing prohibitively expensive medication. We believe that is a necessary step for government to be taking.

But let me also commend the tremendous efforts of individuals, whether family members or friends or volunteers, people who are in communities across this province who provide that essential support needed by AIDS victims. They are truly in the forefront in responding to the challenges and they reaffirm our faith in a caring society.

Mr Tim Murphy (St George-St David): I too want to commemorate World AIDS Day and to share in the

views expressed by the Minister of Health and my leader and to acknowledge that in many ways we as legislators and all of us in Parliament have been pushed to respond by the work of people in the community. It's activists and advocates and consumers who have forced all of us to respond.

I can think, for example, of my friend James Thatcher, who died just a little under two years ago, who was a friend of mine for a long time and died of AIDS and who was an activist and chained himself to the door, I think, of the former Minister of Health. Today, wherever he is, I think he's probably smiling that some of what he fought for is starting to come. I think the grin will hopefully get wider on April 1 when we see the details of the program.

I want to acknowledge many of the other volunteers, activists in my community and others who have pushed all of us so hard: in the AIDS Committee of Toronto, Bill Flanagan, who's been a friend of mine for 10 or more years, and Carol Yaworski, the executive director, and in AIDS Action Now, Glen Brown, who has been a very strong and vigorous advocate, the many people in the From All Walks of Life fund-raising campaign, people like Rod Kelly, George Smitherman, Markus Wilson, Max Beck, the husband of the new mayor of the city of Toronto.

There's Canfar. There's a new group called Aid for AIDS, which is a charity for children who have HIV and AIDS. There are many other community activists with the Casey House hospice, June Callwood, the PWA Foundation—the list goes on and on, and they have all pushed us to act.

I want to talk briefly about the toll this has taken, and the minister mentioned the 15,000 people who we believe have become infected with HIV. I believe as many as 7,200 people have died in the last 10 years, and that's a tragic, tragic toll.

I know that the intention is in the next six weeks to work out the details of the program, and I hope we do see very positive details. I know there was a mention of a floor and a sliding scale of contribution. What I have said to the activists is that in fact they have a bit of a hammer in the negotiation because the details have to be worked out before the election is called, and so I suspect they might get a better deal than they might otherwise have had.

My hope is that it will be a deal that recognizes that many individuals can't afford the incredible price that the drugs for catastrophic illness cost, thousands and thousands of dollars a month, and that it will be of benefit to the individuals not to have to quit their jobs and go on welfare, that it will improve their personal health and their ability to survive in better health for longer to be able to continue working while getting the drugs.

I do hope that the details of the program include and recognize the concern for the privacy issues around being infected with HIV. I'm sure that the minister will be sensitive to those issues.

I was pleased also to be at the opening of the Wellesley Health Centre today, which I think is the kind of model that we all agree on in the long term, that health

care should be provided in a setting that deals with the community, that comes from the community, and also shows some flexibility in how remuneration is paid to the people who provide care. It is a credit to the people at the hospital, the community, the staff, the doctors, the executive, the kind of efforts that the Wellesley Hospital has made in the last five years.

I thank you for the opportunity. I look forward to seeing the details of the program.

Mr Jim Wilson (Simcoe West): It is a pleasure to join with my colleagues in recognizing World AIDS Day. I note that the Minister of Health today is following up on an announcement made by the Premier yesterday with respect to the government's intention to expand the catastrophic drug program. I guess, on a somewhat disappointing note, I would simply ask the minister what took her and her government so long.

On April 27, 1994, the leader of the Ontario PC Party, Mike Harris, specifically asked Ms Grier, the Minister of Health, a question about when she would get around to expanding the catastrophic drug program for a number of illnesses, but in particular for those people living with HIV and AIDS.

Mr Harris said on April 27:

"Your inaction, for example, on health card fraud alone costs 10 times more in waste than AIDS Action Now and others are requesting for treatment of catastrophic illness...Minister, will you tell Mr Farlinger"—at that time Mr Bill Farlinger had joined us in the gallery from AIDS Action Now—"and others if drug funding for catastrophic illnesses will be a health care priority in the budget to come down next week?"

At that time, the Minister of Health skirted the issue and simply replied that she couldn't tell us what was in the budget, and there was no commitment.

My party has made the commitment. We've consistently told the Minister of Health that the ministry and her government must set priorities within the health care funding envelope clearly when thousands and thousands of Ontarians are forced to go on welfare or forced to do without drug coverage because of the government's inability to set priorities and to extend catastrophic drug coverage.

Now the minister and the Premier have announced that the program will be extended. However, I'll believe it when I see it. The minister has announced money with respect to funding for cancer and dialysis and many other priorities of the health care system, and yet we know that much of that money won't flow till after the next provincial election.

Minister, I encourage you to meet your April 1 deadline, which we read about in a newspaper column today, and to get the expansion of the catastrophic drug program, the new universal program, up and running, and to inform this House as quickly as possible how you're going to pay for that program so that whichever party may inherit the government side of this House after the next election is able to continue that program and know where the funding is coming from, because for too long now we've had announcements where funding will flow

in 1997, 1998, 1999, by the year 2000.

This government is good at meeting the needs of communities out there by simply announcing intentions. Minister, we encourage you to live up to this intention and to actually have the program up and running.

1400

We're reminded on World AIDS Day that indeed over 11,000 Canadians are living with AIDS, a staggering 14 million people suffer from this disease worldwide, and by the year 2000 there will be 30 million to 40 million infections of the HIV virus on this planet.

What the World Health Organization is doing, and many of the AIDS groups, in recognizing and encouraging all of us to recognize World AIDS Day, is making us aware that AIDS affects each and every one of us. We must redouble our efforts to combat this lethal killer by both beefing up our educational efforts and finding a cure for a disease that does not discriminate between sexes or age. The warning signs indicate that we must not continue to hide from the reality of AIDS.

Of global AIDS cases, members should know that 70% involve heterosexuals, and the World Health Organization states that 50% of those infected with HIV have become infected while they were between the ages of 15 and 24 years. So there's a lot to be done.

A colleague of mine, Mr Sterling, heard on the radio this morning that Canada spends 1/200th per capita on research as compared to the United States, so we also need to do more in terms of AIDS research.

ORAL QUESTIONS

LONG-TERM-CARE REFORM

Mrs Lyn McLeod (Leader of the Opposition): My question is for the Minister of Health. Mr Speaker, as you're aware, the government has had four major bills before this Legislature in this session and they have rammed every one of them through by shutting down debate. The next bill that is going to be forced through the Legislature is the bill on long-term care.

This bill is being forced through this Legislature despite the fact that long-standing organizations and people who have been dedicated to serving their communities have raised very serious concerns with the bill. I don't believe the government ever wanted to really hear from these people, and it's clear now that they had no intention of listening to the concerns that have been raised.

But I ask the minister today: You argued that the approach that you're taking as you force this legislation through is necessary in order to reduce the cost of the system. In fact, there is no reliable evidence, no evidence that we've seen at all, that there are going to be cost savings. There was one study, the Price Waterhouse study which you touted as being your evidence of cost savings with this approach, and it has now been pulled by Price Waterhouse itself to re-evaluate their methodology.

My question, Minister, as you are on the eve of forcing through this new approach, is what evidence you have that your model is actually going to reduce costs and on what basis you are proceeding with a program that is going to wipe out long-standing community organizations and replace them with a new government bureaucracy.

Hon Ruth Grier (Minister of Health): I find it difficult when the Leader of the Opposition accuses us of ramming through something where many of us in this place began discussions about reorganizing and creating a long-term-care system 10, 12, 15 years ago.

In the five years that she was part of the Peterson government, no action was taken to create a long-term-care system. We have been consulting, working and designing to prepare for the reorganization of long-term care since the day we took office in September 1990, and we're tremendously proud of the fact that long-term care is going to become a reality before the end of this year.

In response to the question, long-term care is a growth industry in this province. We're all getting older. We're all costing more to have our health care. So the additional funding our government has put into long-term care is already close to half a billion dollars and will be \$600 million a year before the end of 1997. The savings that the member refers to are due to the reorganization and the simplified administration that lets seniors have one-stop shopping for the care they need. That's what they've asked us to do.

Mrs McLeod: That is pure, absolute rhetoric. On the eve of this minister forcing through legislation which will significantly change the way in which long-term care is provided to seniors and to others in this province, will shut down organizations that have been providing that care literally for generations, we're asking this minister for something besides rhetoric and ideology to tell us why she has taken all the work that has been done on long-term care over all those years—and you're right, Minister, a great deal of work from a great many people committed to coordinating the system, to providing one-stop access, to making sure that we were getting the best possible use of every dollar that was going into long-term care.

You've taken all that work and you have totally turned that on its head by putting in place this new bureaucratic approach and absolutely refuse to tell us again today whether that whole new bureaucratic approach is actually going to save any dollars in administrative costs at all. Again today that's your whole defence: It's going to save dollars. But there's no evidence, and that's one side of the ledger.

On the other side of the ledger is the fact that there are new costs that are built into your legislation. The model is clearly going to force agencies like the Victorian Order of Nurses, St Elizabeth visiting nurses and the Red Cross Society to close their doors. They're telling us that in communities across this province, and that means that everything those agencies have built up over the years is going to disappear. It's going to be taxpayers that have to pay for it, those same taxpayers that are going to somehow have to meet the increased demand you've talked about.

The Speaker (Hon David Warner): Could the leader place a question, please.

Mrs McLeod: Minister, it includes technology, office spaces, leases, even cars for visiting clients. Will you tell us where the funding to replace all of those capital costs is going to come from? How much additional spending is

going to be required to establish this new system of delivering services?

Hon Mrs Grier: Let me make it very clear once again to the Leader of the Opposition: Long-term care is about providing services to seniors and the disabled. Long-term care is about creating services for people and for communities where there has not been service. Long-term care reorganization is filling in those cracks through which too many people have fallen when they needed care, whether it be in an institution or whether it be in their own community. It is about providing more care in communities than in institutions, because if people are in their own homes, if people are in their own communities, they're healthier and they get better care.

Let's talk about funding. In 1990-91, when we became the government, the ministry spent less than \$1.5 billion on long-term care. In 1994-95, we'll spend \$2.1 billion. Our funding for community services has increased by 54%.

She asks where the money comes from. It comes from better management of the entire health care system. Within that \$17 billion, almost \$2,000 per capita that we spend on health care, we have found enormous efficiencies and administrative savings, and we have redirected those to fill the gaps in service that existed under your government and under the government that preceded it.

Mrs McLeod: I just don't know how to get this minister to respond to any of the concerns that are being raised about this legislation. She's not prepared to respond to any of the concerns that are raised by those who deliver the care, not prepared to listen to the concerns of any of those who receive the care. We thought today maybe she would answer some very specific questions about costs: where she sees the costs being saved and what evidence she has, where she sees the new costs being managed, whether she has any information about what it will cost to replace all of those capital needs that are now being met by the existing agencies.

Let me give you another cost that's built into your legislation that you've refused to address. The acting director of long-term care has made a clear commitment that government will pay for the severances of people who get laid off as a result of this legislation. You refuse to acknowledge that there are going to be any people laid off, which is why you won't give us any kind of cost, but it is absolutely clear from all of the evidence that has been given at committees that the bill will result in layoffs at the Red Cross, at the VON, at Saint Elizabeth visiting nurses, and the list goes on. There will be a cost to severance.

Just to sum it up then, you have no estimate of what you're going to save; you have no estimate of what it's going to cost to rebuild the system; you refuse to give an estimate of the cost of severances. Minister, this is another issue on which you have clearly not done your homework. How do you know that this is not going to cost more and provide less service to seniors and to others who need long-term care?

Hon Mrs Grier: Because we're not starting the reorganization of long-term care on January 1, 1995. We've been doing it for four years and we've been

investing new money in it. We've added home care by 53%, integrated homemaker program increased expenditures, 65%; home support services, 37%; and attendant care programs, 36%. I'm sorry if that upsets the opposition, but that's the reality of long-term care.

1410

She talks about severances and layoffs. I would remind the Leader of the Opposition that our government, through its administrative changes which have been many within the public service, has achieved a significant downsizing in the public service with no layoffs. In long-term care, we're doing an increasing in service. I think the spectre she raises of severance payments and layoffs is, as with so many of the misdescriptions of long-term care that her party, in its bitterness at the fact that the scheme it put forward was soundly rejected by every senior citizen in this province, contributes to misunderstanding and misapprehensions about this program.

The Speaker: New question.

Mrs McLeod: Everybody else is wrong, everybody else has misunderstood, nobody else cares except the Minister of Health. I thought that question deserved at least a specific answer.

MENTAL HEALTH REFORM

Mrs Lyn McLeod (Leader of the Opposition): My second question is also to the Minister of Health. Perhaps on this issue, Minister, you will give us a very direct answer to a very direct and, I believe, important question. We are very concerned about this government's continuing failure to take the steps that would help to keep violent sexual offenders off the streets of the communities of this province.

It has now been two years since the Christopher Stephenson inquest recommended changes to the province's Mental Health Act. Two weeks ago, Minister, you told this House that you had indeed established a group to talk about policy. You said that lots of meetings had been taking place. But I suggest, Minister, that the public doesn't really care about how many meetings you've had on the issue. They want some action to keep violent sexual offenders off the streets, and you have failed to take that action.

Minister, time is running out in this session to deal with this very important issue and in fact, time is running out on the mandate of your government. Can you tell us today what is your timetable for making changes to the Ontario Mental Health Act to keep violent sexual offenders off the street?

Hon Ruth Grier (Minister of Health): This is not the first time the opposition has raised the question of changes to the Mental Health Act. In fact, the member from Mississauga North has a bill before this House with respect to changes in the Mental Health Act. I have to say to the Leader of the Opposition and to her caucus that the existing provisions of the Mental Health Act ensure that persons who meet the criteria for involuntary committal are in fact actually committed.

People who are part of the criminal justice system are dealt with under the Criminal Code and I am sure, if she has conversations with her colleagues in Ottawa, she will

get them to understand that there is a criminal element that is the federal responsibility and there is a mental health element which is our responsibility, which the Mental Health Act covers and which gives us sufficient provisions to ensure that people who ought to be involuntarily committed can be committed.

Mrs McLeod: I'm not sure who the Minister of Health is getting her legal advice from on this issue, because in fact the director of legal services for the Ministry of Health, Mr Gilbert Sharpe, testified at the Stephenson inquest. Mr Sharpe told the inquest that the way to deal with violent sexual offenders was through the province's Mental Health Act. The former Deputy Attorney General for the New Democratic Party government has also very clearly stated that this issue can be addressed by making changes to the Mental Health Act.

Minister, Christopher Stephenson was murdered three years ago. The report of the coroner's inquest is now two years old and we have to wonder what your government is waiting for. You're quite right; the member for Mississauga North has a private member's bill on the order paper right now to address this very issue. If you were really prepared to take action on it, you would agree to send this bill to committee over the winter so that it could be passed in the spring. That would allow some public input, it would allow amendments to be offered by all three parties and the bill could proceed.

Will you agree to send this bill to committee so that we can get legislation on the books that will in fact keep violent sexual predators off our streets? Will you pass the bill or are you satisfied to do nothing but meet?

Hon Mrs Grier: As so often happens, the Leader of the Opposition is relying on information and submissions that are significantly out of date. Let me quote to the Leader of the Opposition a decision that was released by the Ontario Court of Justice (General Division) in June 1994, considerably updated from the Stephenson inquest. In the case, which was the Penetanguishene Mental Health Centre v Stock, the court found:

"The Criminal Code of Canada and the Mental Health Act have different objectives. The former is a penal statute, while the latter is a protective statute designed to protect persons who pose a danger to themselves and others. As such, it seems to me that one must simply look at the criteria in the Mental Health Act to determine whether or not involuntary detention is justified, and it matters not where the person has been resident, provided the required criteria are met."

This finding was confirmed in another case. The Mental Health Act gives the power to commit somebody where there is a finding that they need to be committed.

Mrs McLeod: I don't know why we have to be debating something that surely we all care about. There is surely a common purpose here, and that's to ensure the public safety by keeping the most violent sexual offenders off the streets. There is a general agreement that there is a place for the Criminal Code and that there is also action that can be taken under the Mental Health Act, and the Mental Health Act now is too restrictive to allow your government to take the action that is necessary.

The former Deputy Attorney General, more recently, as I understand it, than the statement you've just read, has indicated that the Mental Health Act of the province can be changed in a way that would be helpful.

Minister, the government House leader has indicated that the House is going to prorogue next week, and if that happens, all of the bills that are on the order paper would simply die. But as you also know and as the House leader knows, the government does have the power to carry bills over to a new session. I don't believe that this is an issue on which we need to start from scratch. I don't believe we need to keep debating it in the Legislature. We need to agree to send the private member's bill to committee so that we can have the public debate and resolve what action can be taken so that we can pass legislation when this House resumes and so that we can take the steps that are needed to keep violent sexual offenders off the streets and out of the shopping malls of communities across the province.

Will you ask your colleague the government House leader to allow this bill at least to be carried into committee and over to the next session?

Hon Mrs Grier: Nobody has greater concern about the safety of children, of women, of people on the streets of this province than I do, than the House leader does or than my colleague the Attorney General does, and the actions that she has taken I think demonstrate that.

What the Leader of the Opposition fails to realize is that we have in this country a criminal justice system and a mental health system. They have roles. They interact, they need to be consultative and they need to be coordinated, but they have two very different roles. The courts have confirmed that. We also have in this country a Charter of Rights. The concerns of the criminal justice offenders are dealt with by the federal jurisdiction under the Criminal Code. Every advice and every court ruling that we have assures us that if somebody is insane, the Mental Health Act gives us the jurisdiction and the powers to keep that person off the streets. That is what we do and that is what we will continue to do.

1420

TORONTO BLUE JAYS

Mr Michael D. Harris (Nipissing): My question is to the Minister of Labour. Minister, lawyers have advised Toronto Blue Jays owners not to use replacement workers next season if the major league strike continues because it would violate your labour legislation; ie, the most recent world championship team would be the only team of 28 in the league not playing next year should the strike continue.

Minister, does this not tell you something? When we look at 28 other teams in the major leagues inside and outside of Canada, doesn't this send off a little alarm bell that maybe your Bill 40 labour legislation is out of step with the rest of the world?

Hon Shirley Coppen (Minister of Labour): The Toronto Blue Jays and the players' association have met the requirements for a strike but neither one has applied to the Ontario Labour Relations Board.

I do not believe Bill 40 in any way has harmed this

province at all. We only have to look at communities like Cambridge where Toyota is now investing millions and millions of dollars. This is a good place to work, to do business, and Bill 40 is not hurting that.

When we talk about Bill 40 in relation to the strike that is going on with the Blue Jays, we have to remember that that piece of legislation relates to the province of Ontario. This is an international league with players from all over Canada and the United States. Our legislation is only mandated in this province and has no effect on other countries.

Mr Harris: Strike one.

Every time there is a Blue Jays game in Toronto, over 2,300 people are directly employed. That doesn't take into account the thousands of indirect jobs that are generated. If the major league strike continues, these jobs may be lost as a result of Bill 40, your labour legislation.

I'm asking you this: As the Minister of Labour, how can you defend your legislation when the potential situation here is that Bill 40 is protecting the rights of millionaire ball players while risking the jobs of thousands of ordinary working Ontarians? How can you justify that?

Hon Mrs Coppen: Living in Toronto four days a week, I go by the stadium and I do feel very sad that it is closed down. I can imagine the business people in that area, the impact that this strike is having on them. I would encourage the member to speak to his friends the owners and help resolve this strike. You have to remember, whether they make \$1 or \$1 million, the baseball players are professionals and it's not our place in this House to judge whether they make too much money at all.

Mr Harris: Strike two.

Aside from the fact of how sad you are on December 1 as you drive by, when there is no baseball played anyway, which really tells you how much you know about baseball and the thousands and thousands of jobs and millions of dollars we're talking about, the Metropolitan Toronto Convention and Visitors Association estimates that approximately 7,500 out-of-town fans attend each Blue Jays game. These fans alone generate approximately \$1.7 million for Toronto businesses at each and every home game. This in turn of course creates thousands more jobs. These jobs may be lost as a result of your legislation.

The major league ball strike once again proves what we've been saying to you all along: Bill 40 kills jobs for Ontario workers. That's why we will repeal Bill 40, so we can have more jobs for Ontario workers in Ontario.

I would ask you today, as the new Minister of Labour, rather than have to wait and have even more jobs destroyed in this province, will you stand in your place today and announce that you will repeal Bill 40 so we can get Ontarians back to work?

Hon Mrs Coppen: Before you strike me out, I think you're totally foul on this matter. I cannot stand in my place every day and ask you: Why are you so against working people in this province? Why do you hate those people? You keep talking as if you're going to be the

Premier. Sir, you will represent all people, and I'm proud I'm a New Democrat and I care about working people. You have struck out on that.

Mr Harris: Strike three. You're out, gone, out of the game. Why wait for an election? You're out of the game.

Interjections.

The Speaker (Hon David Warner): Order. The leader of the third party with his next pitch.

HAZARDOUS WASTE

Mr Michael D. Harris (Nipissing): My second question is to the deputy deputy Deputy Premier for the day. Last Saturday evening, many residents of the village of Appleton in the Ottawa area were forced to leave their homes when a fire broke out in an abandoned mill. Minister, this mill contains toxic PCBs. Fortunately, due to the efforts of local firefighters, the blaze did not reach those containers and a tragedy was averted.

Given the potential safety risks of this situation, can you tell us what has been done by your government since Saturday to ensure the future safety of the residents of Appleton?

Hon Frances Lankin (Minister of Economic Development and Trade): I appreciate the importance of the question. I don't have full knowledge of the incident to be able to share with the member opposite. I can tell him that the Ministry of Environment and Energy staff were involved, that they ensured that proper security measures were put in place at the site.

When they were informed of the fire, they immediately contacted the local health unit, the municipality's local fire and police, who were involved in the supervision then of the fire. The health unit officials have done a first-phase investigation and have assured us that there are not any identified public health concerns related to the fire. The issue of the continued safe storage of the PCBs is currently being investigated and will be acted on by Ministry of Environment staff. But I'm afraid that's about as much detail as I can give the member today.

Mr Harris: I'm sure, when a serious situation and a threat like this takes place—it must have been discussed in cabinet yesterday. Our understanding is that these PCBs have been sitting in the abandoned mill without any fencing or any measure to guard them. As recently as Monday, officials in the Ministry of Environment said, and I quote from the Ottawa Citizen, "We're still looking at options." The ministry response, "We're still looking at options."

We've been contacted by Anne Mirabelli, who lives seven houses down from the mill. She says residents have been pleading for action for years. Minister, what does your government intend to do with the PCBs still in Appleton?

Hon Ms Lankin: The member opposite will know that there has been a long-standing involvement in the Ministry of Environment with respect to the private investors on this site, and there are current court cases that are proceeding and appeals of court decisions. So there is a longer history than the events of the last few days. But I can tell you immediately, with respect to the events of the last few days, that the Minister of Environ-

ment has ordered his staff to investigate the need for either removal of the PCBs or providing safer storage if that's necessary.

I want to assure members opposite and members of the public that the investigators from the Ministry of Environment and the public health unit who have looked at the storage site have indicated that there is no public health danger at this time.

1430

Mr Harris: Last week, plans for a toxic waste plant in the Niagara area were rejected. At that time, the Minister of Environment could not provide us with your contingency plan for toxic waste in Ontario, but he said: "Everything's under control. Don't worry." And now Appleton. Families in Appleton were put at risk. The ministry acknowledges there is a risk there and is still studying what to do about it. Lawyers are arguing about who has jurisdiction, who should pay.

Minister, would you not agree with me that we should go in there, the Ontario government, clean up those PCBs, ultimately dispose of them, and then, after the risk has been averted, you can fight the court battle about who's going to pay? You have the power, you have the authority when people are put at risk. Will you go back to the Minister of Environment and to the Premier and the Deputy Premier and whoever else is going to be deputy deputy Deputy Premier in the cabinet and say, "Look, common sense says let's go in there and clean this up," and then the lawyers can decide later who will clean it up? Will you commit to do that today?

Hon Ms Lankin: I think I already gave the answer to the member that in fact the ministry is currently looking at the issue of whether there are safer security measures that need to be taken or the PCBs need to be removed immediately. The ministry investigators and the public health unit have looked at this and have said there is not any kind of immediate danger to the public health. The minister has already taken the step of directing his staff to take whatever measures are necessary and, quite frankly, the court case does continue and the ministry is fighting on behalf of the people of Appleton with respect to this issue. They've taken a very responsible public policy position.

The member refers to the assessment decision a week ago and says that the minister did not have a contingency plan. I sat here and listened to the answer from the Minister of Environment last week. That is not what he said. He made it very clear that there is obviously a period of appeal with respect to that decision that he had to respect and see if any appellants came forward. If that does not occur, he will then be in a position to move forward with the next steps. He made that very clear.

What is important to convey to the public here is that there was immediate action taken, that there is no threat to the public health, and that the minister has directed his staff to either ensure a safer secure site if that is necessary, or complete removal if that is necessary, and that will be determined in the next couple of days. The minister has acted appropriately and quickly in the interests of the people of Appleton.

VIOLENCE AGAINST WOMEN

Mr James J. Bradley (St Catharines): I have a question for the Attorney General, the minister responsible for women's issues. Yesterday many men in the province wore white ribbons to demonstrate their concern and support for the effort to eliminate violence committed by men against women in our society, and that was most appropriate. Today we were provided again with the buttons to wear indicating opposition to wife assault and informed about the new television commercials dealing with this issue.

The informational and educational programs and the visible symbols we wear are all important, but there's also a need to fund the front-line programs. This week, through the Minister of Community and Social Services, your government refused to give a commitment for core funding for Redwood Shelter.

Today I am asking if you will now agree to provide the necessary funding to the Design for a New Tomorrow agency to meet its request for resources for counselling for men who have been involved in violence against their spouses.

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): I want to say first of all how pleased I am that so many men in this House are wearing white ribbons and are supportive of the White Ribbon Campaign, because it is important for men to assume their share of the responsibility around this issue and it's really pleasing to me to see so many colleagues who are doing that.

The member is quite right that the outward and visible signs of support for prevention of violence against women are one thing and the issue of the delivery of services is another. The member is also aware, I think, that there is certainly a demand for additional services that far outreaches our ability to meet all of those demands as quickly as our communities would like to. That's an issue of real sadness to us because we know how dedicated and committed the people are out in our communities, trying to work with this.

In terms of Design for a New Tomorrow and other programs for men, the service community is well aware that there has been a long-standing issue around the effectiveness and the accountability of programs which aim to change the behaviour of battering men. We have entered into a very lengthy consultation with our communities and have developed a set of accountability standards for programs. Those accountability standards are now being measured and evaluated to see how they in fact deliver those services.

Until that evaluation is complete, until we know what services are going to be most effective in terms of ending the behaviours that cause violence against women—we have made it very clear to the service communities that we will not be expanding funding until we are sure that those accountability measures are in place.

Mr Bradley: The symbols are important, the television commercials are important, the speeches that all of us make on this issue are important, and indeed the studies are important as well. But successful preventive

programs are, in my view and I think the view of a lot of people in the province, equally important.

The executive director of Design for a New Tomorrow, Lisa Whaley, revealed that about 200 men charged or convicted of abusing women are not getting counselling directly because of a lack of provincial funding. I recognize that with any program one always wants to evaluate and study it, but the government has an opportunity to translate what I think are very good intentions, and some very good words that have been said in this Legislature and elsewhere, into some action that could be of some help.

Will you now agree that having looked at this problem on at least a partial basis, having done some study of it, you will now be prepared to provide that funding which obviously the people from the program and the agency known as Design for a New Tomorrow believe would be very useful? Would you now give consideration, even at least on a pilot basis, to providing funding to determine through direct action whether the program will work, to providing the funding to this agency for the 200 people who are waiting for it?

Hon Mrs Boyd: I know the program Design for a New Tomorrow. I know the services they have delivered in the St Catharines area for some time, and they are certainly very well thought of in the service delivery field. There is no question about that.

But the issue around the effectiveness and accountability of these programs is a very serious one. The standards that have been developed through community work, that have been developed through a very, very concerted effort on the part of both men's programs and women's programs and the ministries involved in this province were very well thought through. The standards were delivered to the programs by the three ministers—the Solicitor General and Minister of Correctional Services, the Minister of Community and Social Services, and our own women's directorate—earlier this year. We then agreed that we would evaluate whether programs were measuring up to those standards before we expanded.

The Ministry of the Solicitor General, in conjunction with the federal Justice ministry and the rest of our service ministries, is in the process, with a request for proposals, of going out to do that evaluation. Until that evaluation is complete—

The Speaker (Hon David Warner): Could the minister conclude her reply, please.

Hon Mrs Boyd: —we have been very clear that, no, we will not be expanding funding until we are sure those standards are being met by all the programs.

1440

ACCESS TO COMMUNITY OF SKERRYVORE

Mr Ernie L. Eves (Parry Sound): I have a question for the Minister of Municipal Affairs. On June 1, the Shawanaga Road leading to the community of Skerryvore was closed. Today is December 1, some six months later. The residents of Skerryvore subdivision, many of them seniors, have been advised that the only winter access that's going to be provided to their homes, to essential

medical services and the necessities of life, is a one-day-a-week helicopter service. Is that the position of your government?

Hon Ed Philip (Minister of Municipal Affairs): No.

Mr Eves: I have a letter signed by the minister himself which talks about the helicopter service as being the only viable alternative that his government is prepared to offer to these residents.

Minister, how can you rationalize the fact that in seven months your government was able to announce a casino site, waive an environmental assessment, pave proposed parkland for a parking lot and open the Windsor casino, yet in six months you are not able to provide these residents of Skerryvore subdivision with the essentials of life, including essential health care? Why is that?

Hon Mr Philip: I don't know why the honourable member—

Mr Eves: It's great if you're making a million bucks a day for the government. If it comes to somebody's life, you don't care.

The Speaker (Hon David Warner): Order.

Hon Mr Philip: The honourable member doesn't want an answer to the question because he would rather spread mistruths to his own constituents. That's why.

Interjections.

The Speaker: Order. Would the minister take his seat. The language isn't helpful, but on the other hand the member for Parry Sound did ask a serious and important question and it's reasonable to assume that he would like to have a reply to his question.

Mrs Margaret Marland (Mississauga South): On a point of order, Mr Speaker: I think it would be in order to request the minister to withdraw his accusation that our House leader is spreading mistruths.

The Speaker: In terms of the decorum of the House and in order to provide a reasonable question period, it would be helpful if the minister would withdraw the remark he made. It has offended the member for Parry Sound.

Hon Mr Philip: I'm sorry. It wasn't the member for Parry Sound who was upset; it was the member from Mississauga whatever, who had to put down her American flag in order to ask a question.

The Speaker: Order. I didn't hear the minister withdraw the remark.

Hon Mr Philip: Yes, Mr Speaker, since you requested it.

The honourable member has said I wrote a letter. The letter was based on an agreement we reached with the reeve and with members and representatives of the community, having looked at a variety of possible solutions. They agreed that the helicopter solution was not only the most economical solution but also the best solution. There is no person who is in any way in danger for health reasons because of course there's an emergency air ambulance service that serves that community as well as other communities.

I suggest that if he is opposed to the solution which was praised by the reeve and by the council and by the

residents who are constituents of his, he doesn't have very much contact with his own constituents in that community.

The Speaker: New question.

Mr Eves: On a point of order, Mr Speaker: I'm sure the minister would want to correct the record. I have in my hand a copy of a reply that he knows full well he has, dated November 23, sent by one of the councillors, that said—

The Speaker: No. The honourable House leader, order. Would the member please take his seat.

Interjection.

The Speaker: Order. Would the member for Parry Sound please take his seat.

Mr Eves: That is an absolute fabrication.

The Speaker: I must caution the member for Parry Sound that he is out of order.

The government House leader has a reply to a question asked earlier by the honourable member for Mississauga South.

GOVERNMENT SPENDING

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): I do have a response to a question that was raised by the member for Mississauga South on November 1. I apologize for the delay in delivering this response here in the House, but on each occasion that I've been on the list to deliver this response the member hasn't been here.

The member raised a question with me about the use by the Advocacy Commission of a room in, as she described it, "a luxurious hotel," the Harbour Castle, and whether the expenditure on a room in the Harbour Castle was condoned by this minister when in fact there were rooms available in the Macdonald Block.

The very simple answer to the member is that the hotel offered the room to the Advocacy Commission at a rate lower than a room in the Macdonald Block was available for.

Mrs Margaret Marland (Mississauga South): First of all, we do have a policy in this House that members do not rise and comment on the attendance of other members.

I would like to advise the government House leader, who said he has not been able to respond to my question because I haven't been in the House, that I asked the question on November 1, I believe, and now it's December 1. I have missed one question period, I would like to advise the government House leader.

In any case, in response to this reply, I would like to ask the government House leader to table, for the information of all members, the expenditures in terms of the renting of rooms in the Macdonald Block versus the cost, whatever it was, at the Harbour Castle, because if you are standing in this House today and telling us that it is cheaper to rent a room for a meeting in a luxury hotel in this city, it says a great deal about the mismanagement of government of buildings it owns.

I would suggest that if you rent rooms in a building the government owns and it costs more, that is just a

confirmation of how out of control and mismanaged the government totally is.

Hon Mr Charlton: The comments in the supplementary question from the member for Mississauga South, from a party that professes to understand how business works, are just a pathetic example of the fact that there's no understanding at all over there of how business works.

Interjections.

The Speaker (Hon David Warner): Order.

Hon Mr Charlton: The government does not have a hotel attached to the Macdonald Block. We do not provide accommodation. It is very common business practice in many hotels to give rooms for free or for very low rates when they also get the accommodation business of the people involved in an event. My ministry and every ministry of this government—

Interjections.

The Speaker: Order. The member for Oakville South is out of order.

Hon Mr Charlton: —are directed to get the most cost-effective delivery of their service that they can get, and that's what we've done.

Interjections.

The Speaker: The member for Simcoe West is out of order. I ask him to come to order. Similarly, the member for Oakville South is asked to come to order.

New question, the member for Essex South.

Mr Bruce Crozier (Essex South): Mr Speaker—

Interjections.

The Speaker: Would the member take his seat.

Now, the member for Essex South with his question.

1450

WAGE PROTECTION

Mr Bruce Crozier (Essex South): My question is to the Minister of Labour.

Minister, when your government established the Ontario wage protection program, you heralded it as a measure that would help ensure workers receive what is entitled to them under the statute when companies go bankrupt and are unable to pay.

Minister, in Wallaceburg at the now defunct Libbey-St Clair plant, which has gone bankrupt like so many other plants in Ontario since September 6, 1990, there are some 500 workers who are entitled to \$1.4 million in back vacation pay. This money has been owed to them for over a year now and because of delays has not been paid.

Your ministry and the local MPP, who is a member of your government, have done nothing but make promises to these workers, rather than ensuring that they get what they are owed. Minister, what will you do to end the delays and get these 500 workers their \$1.4 million, and I would ask the minister to answer the question, not the member.

Hon Shirley Coppin (Minister of Labour): Excuse me, Mr Speaker. I was planning on answering the question to the member. I was just looking back at him to confirm the day he brought this to my attention. Then he brought a delegation in so they could speak to me

directly and to ministry staff so that we can get this problem solved.

As you said, it's been going on for a year. There has been some problem with funding. We are working on it together, because he does care about his constituents, and as soon as I became minister he came to me personally to make sure that this problem would be taken care of. I don't need you to bring it to my attention. He is a good member to take care of his own constituents.

Mr Crozier: Obviously someone needs to bring it to your attention, because it was a year ago—a year ago—December 3, 1993, that that member said in a release, "A decision will be made within a few days." Now, Minister, since July 1993, your government has done nothing for them. It would seem to me that the ministry has only led them on, because officials of the Ministry of Labour were in attendance at negotiations under these circumstances in 1993.

Mr Randy R. Hope (Chatham-Kent): No, no, no. The consultant was there. Get the facts straight.

The Speaker (Hon David Warner): Member for Chatham-Kent, order.

Mr Crozier: The union and these workers were told by ministry officials that they should file a claim under the wage protection program.

Minister, this has dragged on for too long. I ask the minister today, notwithstanding what's happened in the past, will you simply stop the delays and see that these workers get the money that's coming to them before Christmas?

Hon Mrs Coppen: We're very fortunate that we have three members in this House, myself and the other two members, so worried about these workers, and they know that if it wasn't for this government, these workers would have no protection at all and no wage protection fund. The member is also aware that there is the issue of successor rights.

We are working together. I thank the member from Chatham for bringing it to my attention, and we are working on it as quickly as possible.

WETLANDS

Mr Chris Hodgson (Victoria-Haliburton): My question is to the Minister of Natural Resources. I just want to state that we all agree that wetlands are significant and their preservation must be encouraged, so I don't intend to get into a debate about the benefits of wetlands. Our party's clearly on the record, with our new report on economic development in rural Ontario, on the value of wetlands. However, I do want to address the way in which this government's implementing its policy to preserve wetlands and the impact your policy is having on people.

Mr Minister, are you that determined to expropriate land without compensation that you'd trample all over private property rights? That's my question.

Hon Howard Hampton (Minister of Natural Resources): The Conservative Party may want to, for its own rhetorical and electoral purposes, create a certain image out there in rural Ontario. I can tell you that I have had meetings with the Ontario Federation of Agriculture

and that in many places in the province the OFA is working with the Ministry of Natural Resources to point out to people living in rural Ontario the fact that it is possible, especially in southern Ontario where wetlands for many years have been threatened and lost, to protect wetlands and it is possible, at the same time, to practise sustainable agriculture and sustainable forestry. That may not suit the Progressive Conservative Party-Reform Party electoral agenda, but that is the truth.

Mr Hodgson: It might be truth for the spin doctors on the government side, but I would like to give you a concrete example of how your policies are affecting people in rural Ontario.

I received a letter which was sent to the Premier, and from the Premier's office sent on to the Minister of Natural Resources, from a couple who retired to the village of Fenelon Falls. The Pattes write that they've worked all their lives to provide for a secure retirement, and part of this plan was many hours of work to pay for 155 acres of farm land, including approximately 5,000 feet of marshy shoreline.

Their plan was completed until the ministry designated 75 acres of their property, nearly 50%, as class 2 wetland. Now it's useless to them. They don't want to fill in the wetland; they don't want to bulldoze it; they don't even want to build a house on it. They just want to have one dock.

In their letter, Mr and Mrs Patte asked, "Why isn't the Minister of Natural Resources instructed to use commonsense flexibility whereby the owner of the land might have the right to controlled use...for lake access?"

So, Minister, I put the question to you: Why is there no commonsense flexibility in the implementation of your wetland policy so that at least one dock could be put on 5,000 feet of privately owned shoreline which they still have to pay taxes on?

Hon Mr Hampton: If the member wants to bring individual cases to the House for discussion, I'd be happy to do that. However, I would appreciate it if he would bring all of the facts and information.

The reality is that the wetland policy that we've arrived at in Ontario was begun by a Progressive Conservative government. In fact it was a Progressive Conservative government that started the consensual back-and-forth discussions about wetland policy that was continued by five years of a Liberal government, where more of a consensus was developed, and finally, under a New Democratic Party government, that almost-10-year process has been brought to fruition.

The reality is that the province is mainly concerned with provincially significant wetlands in southern Ontario. The Ministry of Natural Resources does not in effect identify and then draw the boundaries around. That is something that there is a significant municipal—

Mr Jim Wilson (Simcoe West): You don't have a clue what you're doing.

The Speaker (Hon David Warner): Order. The member for Simcoe West come to order.

Hon Mr Hampton: The province provides the expertise in helping local bodies come to some sort of

identification. If the member wants to provide me with some more facts about the instant case, I'd be happy to take them, I'd be happy to have them referred to people who are looking at actual significant wetlands and also refer them back to the municipality that's involved as well.

1500

CONTROL OF SMOKING

Ms Margaret H. Harrington (Niagara Falls): Minister of Health, congratulations on the proclamation today of the Tobacco Control Act. As we have heard a lot on the news lately about students at school smoking and the impact of this on the adjacent neighbourhoods, it is important that young people not start to smoke, but as a former high school teacher I know that there are many high school students who are already hooked. Minister, how are we going to help these students quit smoking?

Hon Ruth Grier (Minister of Health): I think we do it in two ways. One way is that through the Tobacco Control Act in fact we make it more difficult for young people to obtain tobacco. That is part of the strategy that we have, which is focused on trying to help young people quit if they've started, but better still, to not start.

In addition, there are a number of programs to help students quit smoking. The non-profit health groups like the Lung Association, the Canadian Cancer Society, the Heart and Stroke Foundation and almost every public health department have information about group support programs and self-help materials on quitting smoking.

Self-help quit tips should be readily available for both students and staff, and we have informed school boards of what is available. In addition, students who want help in quitting can call 1-800-363-3537, and what they will get is a free quit-for-life smoking cessation kit packaged like a compact disc. That is available to anyone who calls.

Ms Harrington: I'd like to ask the minister how we can help the schools become totally smoke-free, because of course there are some teachers who are also smokers.

Hon Mrs Grier: We have helped schools become smoke-free, because under our Tobacco Control Act it is non-smoking in schools or on school property. So that has been achieved.

I think what we have to then look at is working with the boards of education and the public health units in order to ensure that that is complied with and that for students who insist on smoking it is made clear that smoking on school property is no longer tolerated and that they have to begin to think about what they can do in order to quit the addiction, because it is an addiction. It's an addiction that causes illness and causes death, and we want to and have made the resources available to help young people deal with that addiction.

Mr Ernie L. Eves (Parry Sound): On a point of order, Mr Speaker: Yesterday the member for Waterloo North raised a question with the Minister of Labour about press releases being couriered, and I just thought the Minister of Labour would like to know that it's happening again today after she said she'd look into it yesterday.

The Speaker (Hon David Warner): The member for

Parry Sound will know that he does not have a point of order. However, he has provided information to the House.

PETITIONS

KETTLE ISLAND BRIDGE

Mr Gilles E. Morin (Carleton East): I have a petition that comes from my constituents, and it reads as follows:

"Whereas the government of Ontario has representation on JACPAT (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa."

I affix my signature.

FIREARMS SAFETY

Mr Jim Wilson (Simcoe West): I have a petition to the Honourable Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and require only future first-time gun purchasers to take the new federal firearms safety course or examination."

I've signed that petition.

AUTISM SERVICES

Mr Gary Malkowski (York East): I have a petition to the Legislature of the province of Ontario:

"Whereas there is a dearth of therapeutic/educational programs for hundreds of children in the province of Ontario who have autism spectrum disorder; and

"Whereas 'Giant Steps Centre' for neuro-integrative

disorders will provide the needed treatment and programming for these children and their families; and

"Whereas the 'Giant Steps' model has been presented to the triministry committee, the Ministry of Health, the Ministry of Education and Training, the Ministry of Community and Social Services, and the Premier's office;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario for help in bringing this project to fruition so that the needs of these children can be addressed."

I affix my signature.

ST COLUMBAN'S CEMETERY

Mr Hans Daigeler (Nepean): In his absence, the member for Cornwall has asked me to read a petition on his behalf that is signed by 274 people from his riding. It reads as follows:

"We, the undersigned, petition the Parliament of Ontario as follows:

"St Columban's Cemetery is not keeping their cemetery drained and dry as per section 19, regulation 130 of the Cemeteries Act."

I'm pleased to sign this petition.

FIREARMS SAFETY

Mr Gilles E. Morin (Carleton East): I too would like to present a petition on behalf of my colleague from Cornwall. It reads as follows:

"Whereas we, the undersigned, object to the minister of the Solicitor General's decision on the firearms acquisition certificate course and examination;

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice to grandfather those of us who have already taken safety courses and/or hunted for years;

"Whereas we believe that we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own,

"We, the undersigned, petition the Legislative Assembly as follows:

"To amend your plans, grandfather responsible firearms owners and hunters and require only first-time gun purchasers to take the new federal safety course or examination."

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Daigeler from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 171, An Act to revise the Crown Timber Act to provide for the sustainability of Crown Forests in Ontario / Projet de loi 171, Loi révisant la Loi sur le bois de la Couronne en vue de prévoir la durabilité des forêts de la Couronne en Ontario.

The Speaker (Hon David Warner): Shall the report be received and adopted? Agreed.

Pursuant to the order of the House dated 29 November 1994 the bill is ordered for third reading.

ORDERS OF THE DAY

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):

Just before I call the first order, as has been our habit for the last couple of weeks the House leaders have had some discussions and have reached some agreements which I'll seek the consent of the House to approve before we start into the orders.

Essentially, the three House leaders have agreed that between the time we start the first order and 6 o'clock, if there are divisions they will occur at that point and any divisions which occur after 6 o'clock will be deferred until the first order of the next day, so on Monday would be the deferral. That includes any motions that are technically not to be deferred as a result of time allocation motions. By consent, we will defer all votes after 6 o'clock until the next day.

The Speaker (Hon David Warner): Agreed? Agreed.
1510

STATUTE LAW AMENDMENT ACT (GOVERNMENT MANAGEMENT AND SERVICES), 1994

LOI DE 1994 MODIFIANT DES LOIS EN CE QUI A TRAIT AUX PRATIQUES DE GESTION ET AUX SERVICES DU GOUVERNEMENT

Mrs Boyd moved third reading of the following bill:

Bill 175, An Act to amend the Statutes of Ontario with respect to the provision of services to the public, the administration of government programs and the management of government resources / Projet de loi 175, Loi modifiant les Lois de l'Ontario en ce qui a trait à la fourniture de services au public, à l'administration des programmes gouvernementaux et à la gestion des ressources gouvernementales.

The Speaker (Hon David Warner): Opening remarks, Attorney General.

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): It really has been quite a lengthy time since we first put Bill 175 before the House. We've had a lot of discussion about it and we've been through the committee of the whole. I think that the debate on the bill has expressly recognized the utility of this kind of omnibus legislation to keep Ontario's statute law up to date in non-controversial ways. I look forward to such amendments becoming part of the legislative landscape in Ontario in future years.

I would like to thank the members of the opposition parties for their constructive approach to the admittedly complex bill that was put before them. Through a good deal of consultation, and flexibility on all sides, we have been able to agree to very useful changes to Ontario's laws, with a minimum of distraction from the more contentious issues that occasionally divide this House.

Much of Bill 175 will come into force upon royal assent. Where proclamation is needed, the government will be advising or consulting with affected interests in the near future to determine how best to bring those changes into force.

Once again, I would like to congratulate all those who

contributed to the passage of this worthwhile act.

The Speaker: I thank the Attorney General for her contribution and invite any questions and/or comments. Is there further debate?

Mr Hans Daigeler (Nepean): I don't plan to speak too long. I had originally intended to speak on second reading, but I had to be in my riding when it was called. In fact, I did start for a few minutes and then it was 6 o'clock and we adjourned for the next day.

In any case, I want just to make a few remarks to put them on the record with regard to some aspects of the transportation side that are in this very thick Bill 175. As the Attorney General I think rightfully just said, this is a very complex bill. There are a lot of details in it, and frankly I think this must be sort of a feast for lawyers. I think only they can get their teeth into it, because essentially, from what I could see—and I must admit I certainly have not read the whole bill; I've read the section that relates to transportation. But it is basically what's called in the terminology of this House "housekeeping." In other words, there are some certain omissions that, even with the quality lawyers that the Ontario government has at its disposal, were omitted at the time, or it requires some sharpening of language.

It should be certainly also mentioned that at the urging of the member for Oriole the government has withdrawn some sections that were controversial. I think that was appreciated by all sides of the House. When there is obvious disagreement I think there ought to be more debate and there ought to be better discussion than is found in an omnibus bill of the nature that we have in front of us, Bill 175.

Why I did want to address the House specifically is for two reasons. One of them has to do with something that hopefully is still dear to the member for Lincoln, if he would pay attention for a second, because he had moved in the last session a provision that is, I think, supported by all three parties of the House; certainly by myself and my party. It's the shared shipper-and-driver responsibility for axle-weight violations. Frankly, that also is a change to the Highway Traffic Act that could have been included in this Bill 175 and probably would have been non-controversial and would have been passed with this bill as an initiative. In fact, as I indicated, the member for Lincoln has a private member's bill outstanding and I think it would have been smart on the part of the government to include this in this Bill 175.

Unfortunately, they haven't chosen to do that, and this provision that the Ontario Trucking Association in particular has been asking for for some time, and provision that would be very helpful to the trucking industry in this province, is not there, and it certainly does not look as though we will be able to get to it before the House adjourns. This is unfortunate, but I guess that's the way it goes. But I did want to indicate that, certainly from our side, we would have been prepared to agree to have this provision in the bill and to have it passed.

The other point that frankly I'm quite supportive of and I was very pleased to see in there is a provision that had been pushed for by the regional municipality in Ottawa-Carleton—at least, that's what I know of; prob-

ably it was pushed by other regions as well. It's a provision that comes out of apparently the social contract discussions and the negotiations that the government did at the time. One of the conditions under which the municipal level of government agreed to participate in the social contract was that the receipt of the transit subsidies from the province would be coming in stages during the year and not just, as it were, in a one-shot deal at the end of the year.

Now, this was brought to my attention by the OC Transpo commissioner—Ottawa-Carleton Regional Transit Commission; that's what this stands for—and he asked me to remind the government that it made this commitment, a commitment that would in fact be of significant benefit to the Ottawa-Carleton taxpayers because, as you can appreciate, the operation of a public transit is quite an expensive undertaking. In order to pay all the bus drivers and all the other costs that are associated with it, obviously somebody has to advance the money if the province only pays at the end of the year.

With that advancement of moneys, which usually comes from banks, there is an interest cost associated with it, and obviously the municipal level had to carry these interest costs. As I say, as part of the negotiations—I guess I wasn't part of these confidential negotiations. Nevertheless, I was told, as part of these negotiations, that this agreement was made that the province would advance the subsidies in instalments and therefore significantly reduce the requirement of the municipalities to go to the banks for some money.

I wrote to Mr Pouliot at the time, because this falls under the Ministry of Transportation, and that was in fact about a year ago, November 25, 1993, that I wrote to the minister. He did write me back—the usual time. I always say to my staff, "I give the ministers four to six weeks." That's what I consider a normal and a reasonable waiting time.

He wrote me back at the end of January, which I thought was a reasonable response time, and he said:

"I can assure you that the Ministry of Transportation has already prepared the necessary legislative amendments to the Public Transportation and Highway Improvement Act, which would see three advance payments to municipalities as follows: May 1, 40% of the subsidies; July 1, another 40%; and November 1, another 10%.

"With this method of payment in place, you are quite correct in saying that it will eliminate most interest costs associated to the delay in receipt of subsidy payments. Please be assured the government is working on this legislative amendment."

I must say that I was pleased and I was reassured when I received this letter from the minister. I thought, "Well, here's one commitment that the NDP government seems to have made that they do want to honour."

1520

I was looking forward with great anticipation to these legislative amendments. I must say that I did have to wait for quite a while, but I don't want to be too nitpicky on it. We do have the amendments in front of us and they are contained in this thick volume here of Bill 175.

As I said, if you weren't too familiar with this, you probably wouldn't find this out, and if you weren't advised by people who are obviously interested in it, you wouldn't realize that there are in fact some significant money considerations, and for a change some good-news money considerations, contained in this bill.

I was certainly glad that the municipal officials in my area brought this to my attention so that I could remind the government of its promise. I'm glad to say that the government did keep its word on this one and this provision is now in the bill. I've read it through and it reflects as to what has been brought to my attention as a promise by the government.

I must say that the re-elected chair of the region was thankful to me and certainly is going to be thankful to the government for having pushed this matter, which is going to save the taxpayers in the Ottawa-Carleton area dollar figures that are certainly in the hundred thousand range. I'm not sure of the exact figure, but it's certainly somewhere in the neighbourhood of \$300,000 to \$400,000 a year. That's not to be laughed at. It's not something that is going to absolve us from all other obligations, but nevertheless, in these times of fiscal difficulties and restraint, these kinds of amounts are always good news if they're picked up by the provincial government and don't have to come out of the property tax base which supports the region in our area and of course all other municipal governments across the province.

I wanted to put on the record that I'm glad to see this provision in the bill. I'm glad that it's finally passed. I'm glad for the taxpayers, certainly of Ottawa-Carleton, but this provision applies to all municipalities across the province, so the same kind of benefit will accrue to all other people in the province who have a public transit system the way we have in Ottawa-Carleton, certainly for Toronto, certainly for London, Windsor, I guess, and so on. For the larger municipalities, this can be a significant benefit. I appreciate that and I support it since I have been pushing for it.

However, to say again, I was looking for this shared shipper-and-driver responsibility for axle-weight obligations. Unfortunately I can't be as supportive of that because it's not in here. I would have liked to see that there. That's unfortunate. We may have to wait either until the session resumes in the spring or who knows, until a new government comes in.

With those comments, I am glad to support this bill even though it has some limitations.

The Speaker: I thank the honourable member for Nepean for his contribution to the debate and invite any questions and/or comments.

Mr Robert V. Callahan (Brampton South): Just very quickly in the short period of time I have, I would like to raise an issue which I have raised on numerous occasions. I hope it will be helpful to the Attorney General and others. This is offered in a spirit of cooperation. I've raised it with the Clerk in the past as well.

We have an act here, which is an act to amend the statutes of Ontario, and when you have an omnibus bill like this—I concur with my friend that it's been put

together by our legal staff here in Ontario who are quite good—it would be helpful if on one side of the page you had the amendment and on the other side of the page you had the section it was amending, so that someone in the House, someone in the Legislature, would be able to look at the amendment and read it into the new provision in order to have some idea of what it means. I think too often we get bills in this House, we debate them, and without the benefit of having the text that's being amended with the amending section it's very difficult for people, particularly people who are non-legal, and even for legal people, to be able to intelligently understand what is passing through this Legislature.

Although I rely on the legal expertise of the lawyers we have in this province, I think it's incumbent upon every member of this Legislature to be able to pick up a bill and determine exactly what we're addressing, what we're voting for and what we're speaking to. So I urge, perhaps through your good offices, Mr Speaker—we have certainly the technology to do it. With word processors and computers, I would think we could do it very easily.

I simply raise that comment when we're dealing with an issue of a bill that's going to amend the statutes of Ontario because I think it will make our discussions in here perhaps more meaningful, more understandable, and I would feel more comfortable in terms of debating and also voting on bills if I had that information.

The Speaker: Further questions and/or comments? If not, the honourable member for Nepean has up to two minutes for his reply.

Mr Daigeler: I think the member for Brampton South makes a very good point, certainly for those who are non-lawyers such as myself. But I guess even for legal experts such as the member for Brampton South this would be useful because you certainly don't always have the old bill in front of you, and especially for something as complex as Bill 175 it would be very, very nice to see exactly what we're doing. In fact, often enough I get confused, I must admit, as to having to look up all the amendments and the old formulation and the new formulation.

Whatever can be done through modern means of technology to facilitate the understanding would certainly be appreciated. I think it's wise counsel the member has put forward and I certainly would like to support him in that request.

The Speaker: Is there further debate?

Mr Charles Harnick (Willowdale): I am happy to take part in the third reading of Bill 175. I'm somewhat pleased that the ministry has made certain amendments to make this bill a little more palatable.

I still have some concerns. I'm concerned about certain amendments to the Statutory Powers Procedure Act, and in particular I'm concerned about the issues of electronic hearings. It's an issue that I think the government to a very large degree has ignored, in the sense that they've been told by people who have to make use of the Statutory Powers Procedure Act before administrative tribunals that the act and the electronic hearings are of some controversy.

I'm concerned because the minister prefaced her remarks, when the bill was first called, and indicated that she would be amenable to withdrawing anything in this piece of legislation that was controversial.

The Canadian Bar Association—Ontario, on subsection 56(10), which is the new sections 5.1 and 5.2, entitled “Electronic Hearings,” has provided a brief that indicates:

“This provision is the subject of controversy. It provides tribunals with the power to hold electronic hearings, unless a party satisfies the tribunal that an electronic hearing rather than an oral hearing is likely to cause the party ‘significant prejudice.’ The ‘significant prejudice’ exception does not apply if the only purpose of the hearing is to deal with procedural matters.

“The municipal law and the environmental law sections are opposed to these proposed amendments, at least as they are presently drafted. Their view is that while the use of electronic telecommunication may be appropriate for procedural motions or similar matters, electronic hearings are not appropriate for hearings on the merits that involve the presentation of evidence and cross-examination.”

1530

Anyone who practises before tribunals would know that this is in fact obvious. It's obvious that there are times when credibility is an issue, that there are times when the demeanour of a witness indicates something about credibility, and electronic hearings are a detriment in terms of the trier of fact making decisions. The trier of fact perhaps misses, in effect, a lot of the important indicators of what determinations should be made in order to determine a particular issue.

“The administrative law section...agrees that the provision for electronic hearings is controversial.” Again that word “controversy.” The minister prefaced her remarks by indicating that nothing of controversy was in this bill. Here we have an issue of controversy and yet it remains in the bill. “Others feel the amendments restrict the existing ability of tribunals as masters of their own procedure, while others view them as expanding the discretion of tribunals unduly” in terms of how they will receive evidence.

The Canadian Bar Association—Ontario, CBAO, says:

“The provisions of the legislation dealing with written and electronic hearings require fine-tuning.

“If adopted, the significant prejudice test should not be restricted to substantive matters and not apply to procedural ones. If a party is able to show prejudice, the fact that the matter is procedural is irrelevant. New subsection 5.2(3) should be deleted in any event.

“Parties to an electronic hearing should have the same access to documents in the position of the tribunal as in the case of written hearings.

“A hearing may be considered to be the hearing on the substantive issues, where evidence is presented and cross-examination permitted, akin to a trial, as distinct from a motion in a proceeding to deal with procedural or interlocutory matters. The amendments recognize that some procedural events may occur before a hearing—eg the provision for a ‘pre-hearing’ conference. As worded, the

legislation provides that only ‘hearings’ may be conducted by written or electronic means, thereby possibly removing the ability of tribunals to hear and determine procedural and preliminary motions by means of written material or electronic means. The definition of ‘hearing’ should be expanded to include ‘any aspect of a proceeding’ so as to include events such as procedural and interlocutory motions.

“Sections 5.1 and 5.2 suggest the whole hearing must be by written or electronic means. Provisions should be made for the hearing to be held in part by means other than an oral hearing so that a combination of the various means is possible. Consideration should be given to a new section: ‘Subject to sections 5.1 and 5.2, a tribunal may hold a hearing in whole or in part by oral hearing, written hearing or electronic hearing, or any combination thereof.’

“Electronic hearings should be open to the public and be closed only if the tests set out in the current subsection 9.1(1) of the SPPA”—Statutory Powers Procedure Act—are met. Proposed new subsection 9(1.2), subsection 56(17), may be appropriate on interlocutory or procedural motions but is not appropriate for hearings on substantive issues.

“In any event, tribunals should be required or encouraged to clearly articulate in their rules the general conditions under which electronic hearings will be held.”

Then they go on to say that under subsection 56(11), which is the new subsection 5.3(1), “Provision should be made for the pre-hearing conference to be held by electronic means.”

Then generally, in terms of these amendments to the Statutory Powers Procedure Act, they say:

“The amendments assume familiarity with rule-making by tribunals, and condition important procedural reforms upon rule-making for which some tribunals may not be functionally equipped. Considerable care and effort must be taken to ensure that all tribunals subject to the SPPA receive appropriate advice and guidance on rule-making, and consult with affected constituencies before promulgating rules, to ensure fairness to the parties and to ensure that the discretion of the tribunal to deal with the individual merits of a particular case is not fettered by rigid rules admitting of no exception.”

They have some very grave concerns, and it appears that they have not been consulted about possible amendments to this section or have been ignored in terms of the recommendations they've made in terms of amendments to the section. As for having some input or discussion in terms of the implementation of these changes, it appears that has been non-existent.

It is of some interest that the Attorney General has made absolutely no reference that I am aware of as to the implementation procedures that will be applied so that tribunals will be prepared to promulgate rules to implement the provisions contained in Bill 175. It's of particular note that those most familiar with the Statutory Powers Procedure Act are lawyers. Lawyers are the people who go before tribunals. They are the ones who have to ensure that their clients, the public, are receiving

a fair opportunity to introduce a case before a tribunal, before a government board. It is quite apparent that their wishes, when they say something is controversial, have been totally ignored by the minister of justice in this province.

That has been at the forefront of the total administration of justice in this province since the NDP government was elected in September 1990. There has been a concerted effort by the administration of justice to ignore what those who use the system, those who act on behalf of the public, say has to be done to keep the justice system running efficiently and doing the job the public expects it to do. Unfortunately, the wishes of those who know about the system better than the Attorney General and better than most of the people who work in her department, because these are people who appear in the courts as opposed to people who implement the policy of the Attorney General of the day, are ignored. Their expertise in terms of what should be going into the justice system in this province is being ignored.

We have before us this controversy that has been raging, and it's a controversy little known by the public until they get caught up in it and have to use the justice system for civil purposes as opposed to criminal purposes.

The perfect example is the example of masters. We have a situation in this province where we now have in the city of Toronto a reduction in the complement of masters available to serve the public, down to about five masters. I don't know who is able to do the work that the original 15 masters used to do in assisting the judges with preliminary proceedings, with procedural matters.

I have asked the minister of justice repeatedly, what are your plans? For four years now, as a result of the former Liberal Attorney General's decision to get rid of masters, this problem was dumped on the NDP government, and it has not been able to make a decision about what to do with it. The mistake was made when Mr Scott was the Attorney General and he decided to reform the courts. The court system, as a result, has suffered, the administration of justice has suffered, the access of the public to justice in this province has suffered as a result of that misguided attempt at court reform.

1540

Now the NDP government takes over this problem and compounds it by not making any decisions. For four years I've been asking, what are you going to do with masters? A few months ago a body was set up to review civil justice in the province of Ontario, permitting the Attorney General to again not make a decision, and we're now down to five masters.

I did hear a story that after the Attorney General had been Attorney General for a couple of years, she was finally going out to visit her courts and visit her court personnel. It's astounding that it took two years for the Attorney General to see the inside of a courtroom in the province of Ontario, but I understand she's actually made a few visits.

I'd like her to go down to 145 Queen Street tomorrow morning and take a look at the lists that the masters have

to deal with, the four or five who are left, and I'd like the Attorney General to come back here and say, when there are no masters, who she's going to get to do all that work.

She's going to tell you, "I'm waiting for the committee that I've set up to come back and report." Well, I've got news for the Attorney General: The committee might come back to report, but she's not going to be the Attorney General and her party's not going to be the government when the decisions ultimately are going to be made.

What we've had was four wasted years, to go with the five years before that, of destruction of our courts by misguided decisions and principles that were entered into. I feel sorry for the Attorney General, because she inherited a big problem. She inherited a system that could have worked with some streamlining, but the system was wrecked by the Liberal government.

Now what has happened is that she has come along and in the face of that hasn't made the decisions she needs to make to repair the system. That is the crux of the problem with the administration of justice: Decisions that should have been made to rectify the problems that were created by the previous Liberal government have not been made, and that's the problem we're into.

I wait every day for the Attorney General to come in and say, "The Liberal Attorney General was wrong in getting rid of masters, and I'm reinstituting them." I wait every day for her to tell me who is going to look after in excess of 100 or so matters every day before the masters' chambers. I wonder who's going to do that when the five masters who are left are no longer there. I wait daily for the Attorney General to come in to answer that question. For four years she has ducked it, her predecessors ducked it, and we've had absolutely no answer.

I can tell you, Madam Speaker, that the legal profession, which has to use the courts on behalf of the public, is livid. They are absolutely livid. The member for London South was with me about half an hour ago at a meeting of the Canadian Bar Association where one of the counsel members of the Canadian Bar Association, a senior member at the bar, one who has been around a lot longer than the Attorney General, one who is a lot more knowledgeable about the justice system than the Attorney General, a former president of the Canadian Bar Association—Ontario, got up and said how livid he was at the fact that the administration of justice in this province will not listen. He said he was as upset as he could be about the fact that masters were being taken out of the system and that no one was listening to what the bar association was saying. That's what he said.

The Attorney General could do us a great favour if she would listen to what people more knowledgeable than she were telling her, particularly about the civil justice system in the province of Ontario.

I notice that the Chief Justice of the province today has talked about masters. He too says that, "While other provinces are expanding the use of such judicial officers and recognize the effectiveness of such specialists to complement the superior court, Ontario in its wisdom continues to phase out the master's office and, if this

continues, it will only intensify the backlog crisis in the areas where masters now provide such an important service."

But does the Attorney General listen? No, because the Attorney General knows more than anybody else about this, even though she hasn't set foot in a courtroom in an advocacy role in her life—in her life. But does she listen? Absolutely not. And when you ask her for answers and solutions, do you get them? You don't get them. You get a committee, a committee that's going to run around and come up with the same conclusions.

What do we have in Bill 175 that deals with masters of the High Court of Justice? What we have is a provision dealing with masters that says that for the purpose of construction liens, parties can pick an arbitrator, set up their own private court and carry on with a private construction lien case at the expense of the parties. That's really consistent coming from a socialist government that wants to make access to justice an important issue.

Let me tell you, Attorney General, in the city of Toronto, in Metropolitan Toronto, probably where the vast majority of construction lien cases are, masters have always dealt with these cases. They've tried them as the triers of fact because there aren't enough judges to do it, and they have done so with distinction and they have done so being available to parties who don't have to opt out and hire their own arbitrator and pay for it.

If access to justice means anything to you, you will not implement things like that in Bill 175.

The Acting Speaker (Ms Margaret H. Harrington): Please direct your remarks to the Chair.

Mr Harnick: You will reconsider the position of masters and you will reconsider implementing a full complement of masters so that the public will have access to justice without waiting and without paying out of their pocket for private courts. Attorney General, if you don't know this already, only rich people can afford to do that or only people on legal aid. People who have to work for a living and who don't qualify for legal aid and people who aren't independently wealthy can't afford to purchase a court for a day so they can get their own private justice, and that's what Bill 175 permits.

What about the person who owns a home and has renovations done to their home, and there's a dispute that arises over extras that might exist in terms of additional items to the contract? This poor individual might have a spouse and children and is living in a house and maybe did some renovations to it because it was an older house, maybe wanted to expand it by putting in a family room or a bigger kitchen or a bigger dining room, and now all of a sudden there's a dispute over the validity of those extra charges.

You know what the Attorney General's done for that person if they live in Metropolitan Toronto? She's told them that by Bill 175, they can go out and rent an arbitrator and rent a courtroom and pay all the costs associated with that because: "We don't want masters any more to solve these problems. You go out and pay for it."

Do you know what I say to that, Madam Speaker? If that's the direction this Attorney General is moving in,

then she is making a bad mistake if access to justice and quality of justice and cost of justice is to mean anything in terms of this government and what its philosophy has always been. If that's the basis of their philosophy, then I don't want any part of it.

1550

I think that's yet another reason to throw this government out. It's yet another reason to indicate to the people of Ontario that they've abandoned all their principles. They've abandoned their principles. What was that document called that they—

Mr David Turnbull (York Mills): The Agenda for Suckers.

Mr Harnick: The Agenda for People. Do you remember the Agenda for People, all of those things that they were going to do? Well, this is yet another abandonment of their principles. This is another abandonment of principle, and it's contained in Bill 175, this non-controversial act that says volumes. It speaks volumes about where the justice system in this province is going. I have some very, very grave misgivings about where this administration of justice is taking us. I can't abide, quite frankly, by the direction that we're going in; I can't abide by the belittling of the system; I can't abide by the fact that cases are still getting tossed out of court because of undue delay.

We heard of one just recently where, after 35 months of waiting to get a courtroom, a case of sexual assault was tossed out of court because it took too long. It amazes me, because I've heard from crown attorneys repeatedly that they're trying cases of sexual assault because they are a priority of this minister and this government. Even though they don't have a chance to win those cases, they still have to try them, even if the evidence isn't there. It's such a priority that here is a case that a judge described as a simple straightforward case, where in all likelihood they had a very good chance to put in the necessary evidence to go to a jury, to have a jury make a decision, and that case, in a priority government area, couldn't find a courtroom for 35 months. That is indicative of what the system of justice is coming to.

It's of some interest, as we debate Bill 175, that in the Law Times legal newspaper I received yesterday, here's a headline: "NDP Government Irresponsible. McMurtry Critical of Plan to Cut Court Resources." I can't conceive, in years past, that you would ever hear a Chief Justice of the province of Ontario reaching the point where they've had to comment on the ability of this government to run the justice system. The late Chief Justice Callaghan did the same thing. He talked in very frank terms about how indifferent this government has been to the system of justice in the province of Ontario. So I appreciate having the opportunity to put a few things on the record in that regard.

Just to conclude, this bill is a bill that I quite frankly think is an abuse of process. It's an affront to every member of this Legislature because it's what we call an omnibus bill, and it contains proposals from the Ministry of Agriculture, Food and Rural Affairs; from the Ministry of the Attorney General; from the Ministry of Citizenship; from the Ministry of Consumer and Commercial

Relations; from Culture, Tourism and Recreation; Education and Training; Environment and Energy; Labour; Municipal Affairs; Natural Resources; Northern Development and Mines; the Solicitor General and Correctional Services; and Transportation.

I can well imagine the party of Bob Rae in opposition receiving an omnibus bill that deals with 12 or 14 or 15 ministries and saying that this is really the right way to develop legislation is the province of Ontario, just put everything together in one bill. I don't know why this government just didn't do that at the beginning of its mandate, pass one bill with everything in it, and we could have gone away four and a half years ago and watched the province deteriorate. This has been almost more agony because they've done it slowly. They've made us agonize, and I quite frankly can't abide by a piece of legislation developed in this way.

It seems to me that if a ministry such as the Ministry of the Attorney General wants to amend the Statutory Powers Procedure Act, you amend the Statutory Powers Procedure Act. You don't go ahead and amend that act and combine it with the Agricultural Committees Act—let me give you a few names—or the Mining Act—I don't want to be seen to be picking on any one ministry—or the Mortgage Brokers Act. It just doesn't make sense to amend the Statutory Powers Procedure Act in the same bill as amending the Mining Act or an agricultural act. It is an abuse.

It's not as though it was a small act dealing with a matter of "clearing the path" or whatever the government calls these kinds of efficiency measures. This bill is, for the benefit of the public watching, 148 pages long. It is just chock-full of amendments from soup to nuts in almost every ministry the government has. I think that, quite frankly, good public administration dictates that you don't legislate the way this government legislates. But then again, they've probably done everything else wrong. Why should they do this right?

I appreciate having had the opportunity to participate in this debate.

The Acting Speaker: Now we have time for questions or comments to the member for Willowdale.

Mr David Winninger (London South): The member for Willowdale has raised a number of his own concerns and those of others. I point out that the administrative law section of the Canadian Bar Association recently has conveyed its concerns around the provision for electronic hearings. I think the Canadian Bar Association, which always provides valuable advice in these areas, can be assured that no tribunal will be able to hold electronic hearings until it has developed the rules to govern them, including the circumstances in which they will be held. If the credibility of witnesses is an issue, clearly the tribunal can preclude electronic hearings in those cases.

But the Society of Ontario Adjudicators and Regulators, a group that unites members of tribunals, is counting on this provision to save a great deal of time by not having to have parties and counsels show up for procedural matters in person for what are usually minor formalities.

The Attorney General, in her opening remarks, had said that much of Bill 175 will come into force on royal assent, and where proclamation is needed the government will be advising or consulting with affected interests in the near future to determine how best to bring these changes into force.

I think the willingness has been expressed to continue to consult at all levels with the Canadian Bar Association and other interested parties, just as we've done in the past, to ensure that these laws are workable and continue to reflect the best interests of the public.

1600

I also note the remarks of the member for Willowdale in relation to the important role that masters have played in the past, and the Civil Justice Review, a partnership of this government and the judiciary, has conducted a rather sweeping consultation across the province—

The Acting Speaker: The member's time has expired.

Mr Winninger: —to determine how best they can deal with pressures on the court, including the issue of the masters.

Mr Callahan: The member for Willowdale actually spoke beyond the bill, and I'd like to address some of those comments.

I concur with him. I think the elimination of masters certainly is a mistake. Masters, for those of the people who don't understand them, are people who serve two functions. First of all, they serve a function of having matters referred to them by a judge to allow mathematical calculations to take place and so on. In essence, by eliminating them or reducing them, you're actually using valuable judicial time requiring a judge, of whatever the provincial level or the federal level, to have to make these calculations. That's an inefficient use of judicial time.

Secondarily, there's equally a grave problem with registrars in bankruptcy, who are being virtually eliminated, the net result being that they're now going to put people there with "life experience" to do this, and this is going to cause very serious difficulties in terms of the bankruptcy bar.

Finally, in the short time I have, he talks about 145 Queen Street. He should go to 361 University Avenue or many of the areas around this province and just try to file a document. You could become a senior citizen waiting to do it. There are people who arrive there at 8 o'clock in the morning with an attempt to do that and perhaps get the document filed, if they're lucky, by about 2 or 3 in the afternoon.

The net result of that is that people who look for legal services are going to be required to pay more, because obviously if time is spent in that ill fashion of waiting to just file documents—forget about the question of trying to get on with litigation—in fact every minute that they are there, even if it's a paralegal, that costs that litigant. I suggest that we are slowly getting to the point where the barriers and actually the ignoring of the justice system are going to result in a lack of justice for a lot of people in this jurisdiction simply because of the matter of costs.

Mr Turnbull: I certainly enjoyed listening to the discourse of my colleague the member for Willowdale.

Indeed, he pointed to the very serious problem that the NDP hasn't addressed with respect to masters.

It's rather good to hear the member for Brampton South commenting on this being a serious problem, but it seems to me that it was in fact the government of which he was a member that got rid of masters, which started the problem in the first place. I presume from his statement now with respect to my colleague's discourse that he is now admitting it was a mistake that his government made, one of many that the NDP inherited. But the fact is, the NDP did inherit them four and half years ago and they have had time to address it, but like so many others things, they haven't come to terms with it.

I was particularly distressed when the Attorney General walked out during the presentation of my colleague when he was speaking about the urgent needs within this omnibus bill to address the judicial system that they have failed in a meaningful way to do. Indeed, my colleague is recognized even by the front bench of the NDP as being one of the leading lawyers in this province in his field, and so he does know of what he speaks. Yet the Attorney General, who has no legal training, walked out in the middle of the presentation by the member.

Mr Winninger: On a point of order, Madam Speaker: First of all, it's inappropriate to comment on whether a member is present or not. The member well knows the standing rules. But I think it's important that the member know that the Attorney General was obliged to attend the opening of the renovated Metro East courthouse along with members of the judiciary and the bar, all celebrating this most important initiative.

The Acting Speaker: Thank you. I would like to allow the member 20 seconds to complete his question or comment.

Mr Turnbull: Madam Speaker, I would like to withdraw the fact that the Attorney General walked out in the middle of his comments, which were soon over.

The government has failed to address the question of access by the middle class to the court system. It is now a court system which is only available to the very rich and to the poor, and that indeed makes our province the poorer for it.

The Acting Speaker: The member for Willowdale has two minutes to respond.

Mr Harnick: I'm obliged to those who responded, and particularly for the kind remarks. I do think it's significant that the member for Brampton South indicates that the decision to get rid of masters to help facilitate the process of our civil courts was a mistake, because it was his government that did that. I think that is a bold and correct admission that he made and I admire his courage for standing up and making that admission.

I also think he made another very interesting comment, and that's that people who go to 361 University Avenue, which is the site of the Metropolitan Toronto civil courthouse, often have to get there at 8 o'clock in the morning to file documents. I can tell him that in fact it's 6 o'clock in the morning that they go there to get in line to file documents, and it never used to be that way when we had our own district court. We had a district court

here, as every county in the province of Ontario had, and we had a High Court, and you didn't have to get there at 6 o'clock in the morning to file your documents or to get in line to file your documents.

It's very interesting to note that it was the Liberal government that created that monstrosity that has never worked since the day it was proclaimed by the Liberal Attorney General. Every county and every community in this province has been the poorer for the fact that they lost their own identity with the courts, their own district or county court, as it was originally called.

I think we have got to now make the best of a very difficult situation, but decisions have to be made, and unfortunately we've wasted almost five years now watching decisions being deferred.

The Acting Speaker: Further debate.

Mrs Elinor Caplan (Oriole): I will be brief in my remarks. I spoke quite extensively on Bill 175 during second reading, as the critic responsible for Bill 175. I said that I believe omnibus bills can be used very effectively if they are indeed for housekeeping and non-controversial amendments to statutes that in fact do cross a number of statutes and a number of ministries and policy areas of government, and I asked for a commitment from the government that there would be substantial consensus for the amendments that were proposed in Bill 175 and that anything that was controversial would be removed from this bill, which was presented to this House as a non-controversial, housekeeping omnibus bill.

I said in this House over the last four years that if we had an omnibus bill brought before us that was housekeeping and non-controversial, I would cooperate with the government. I know my constituents in the riding of Oriole and people across this province want to see this House work in a way which will achieve the public interest and serve the public interest. They want to see the kind of cooperation that will lead to that efficient use of House time, but they want to make sure there is proper debate on those things which are controversial and which need the kind of full public debate that this House is supposed to permit.

Section 65, part III, of this act was removed after, I must admit, some pushing. The government did concede to that, and I'm pleased with the role that I played in seeing that that part was removed because I believe it did not fit with the government's commitment. It was a controversial amendment to the Advocacy Act, and I'm pleased to say that section 65 was removed during the committee of the whole process. I told the government House leader and the minister responsible for the carriage of this bill that if they removed section 65, my party would see that this bill was passed without any of the kind of tactics that we can use to delay passage of properly contentious legislation and bills that require the kind of public debate that is necessary.

That has been done, and I am a person who believes that if you say you're going to do something, you should do it, and so, because I'm proud of my record of doing what I say I will do, I will now take my seat and watch the government House leader as he passes this bill in third reading.

The Acting Speaker: I thank the member for Oriole for her contribution. Are there any questions or comments to her remarks?

Mr Turnbull: On a point of order, Madam Speaker: I believe that it would be appropriate perhaps if there was a quorum here to hear these remarks.

The Acting Speaker: Would the clerk please determine if a quorum is present?

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The acting Speaker ordered the bells rung.

1610

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: Thank you. I had asked if there were questions or comments to the member for Oriole.

Mr Harnick: I think that the member for Oriole was very astute when, on second reading, she pointed out in the strongest of terms that section 65 of this bill should be deleted. Section 65 deals with the provisions that empower the Advocacy Act to really be implemented. That, in and of itself, would indicate that this bill was a lot more than a bill dealing with housecleaning, dealing with getting rid of duplication or procedural problems.

This bill, in fact, had a number of these little things snuck into it, and we've all tried, in the opportunity that we've had on second and third reading, to point out those substantive parts of this bill, and this in fact was a very substantive issue, and as a result of the comments of the member for Oriole, I'm happy to see that the government has removed section 65 from the bill. They would not have done that but for the fact that the opposition, and in particular the member for Oriole, got up and said that this was wrong.

But again, it goes back to the adage that we have to check everything that the government says because oftentimes it isn't accurate. There are issues in this bill that were controversial, there are issues of substance in this bill as opposed to just streamlining procedure, and they should not be in here because the government gave us its assurance that they weren't. So the fact that section 65 has been removed is of great significance.

The Acting Speaker: Further questions or comments to the member for Oriole's remarks? Seeing none, if the member for Oriole would like to reply, she may.

Mrs Caplan: I believe that this NDP government has established a very significant precedent in this House, this Legislature, whose traditions are founded on precedents, for the use of omnibus bills. This is the first one that we've seen from this government which has been presented as a housekeeping piece of legislation, one that was designed to amend over 100 statutes in numerous policy areas and which was presented as a non-controversial housekeeping omnibus bill.

It's my view that it is appropriate to use omnibus bills for the purpose of housekeeping and updating legislation which you just don't have House time for. I was concerned that the government said that it was non-controversial housekeeping. Then, when we took a closer look

at it, particularly section 65, there were concerns that there was a very controversial item contained in this bill.

It's important for people watching this debate to know that while omnibus bills have been used by past governments, this is really the first time that we have seen the kind of omnibus bills that have crossed and had multiple ministries and multiple statutes, with policies which really bore no relationship one to the other. I've expressed concerns about the opportunity for the public to fully debate those important issues, which may not be related, in the same piece of legislation and have in this House attempted to separate out those issues for full and proper debate.

As I see the passage of this bill, I'd like to state that I am convinced, given the opportunity to have the kind of scrutiny I've had, that at this point in time Bill 175 is an example of a consensus document. I don't believe there's full unanimity on all the provisions, but I believe that it is housekeeping and that it is substantially non-controversial.

The Acting Speaker: Further debate on Bill 175?

Mrs Dianne Cunningham (London North): I want to put some comments on the record with regard to Bill 175, especially as they relate to our education system. There are a number of implications for schools in this omnibus bill. I certainly concur with all of the members who have made note that this is not the first precedent-setting bill, of course, but that it has been a precedent-setting government when it comes to omnibus bills and time for the public to be properly consulted.

This bill was introduced in June, I understand, and some of these changes were meant to take place—and if the government could have gotten our support some time in the middle of June, other changes of course would have occurred that would have affected the more recent municipal elections. I think that really was the intent.

The first piece that relates to Bill 175 in the schools has to do with subsections 109 (1), (5), (8) and (9) and section 112 with regard to combined financial reporting. I won't go into detail, but there is an agreement with regard to this section of the bill in that the Ontario Public School Boards' Association does support that part.

Subsections 109(6) and (7), regarding school board employee benefits payments, I will speak to because that is not something that has the support of the Ontario Public School Boards' Association.

With regard to Bill 175, section 110, municipal ward changes in election years, you can imagine what this would have meant if we had had this debate last June. Obviously it wasn't pushed because the government decided, probably fairly early, not to come back to begin the fall sitting until long after the agreed-to date. At this point in time, the Ontario Public School Boards' Association does support that.

1620

The provision of extracts from enumeration lists, Bill 175, subsection 111(1): At this point in time again, with regard to the Municipal Elections Act there wasn't enough time for discussion and consultation. There has been an election and there will be time for the boards to

plan for the results of this particular legislation in this regard for the next municipal election, so it's supported at this time.

The filling of unfilled school board positions, Bill 175, section 111, subsections (2) to (4): Again, there's time now, so the boards have had time to consider it and the Ontario Public School Boards' Association supports it.

But I do want to speak to the two parts where there is no support on behalf of the Ontario Public School Boards' Association on Bill 175. The first has to do with part II, section 40, Ministry of the Attorney General, with regard to the Statutory Powers Procedure Act, and I will talk to the legislation in this regard. There are extensive amendments to the Statutory Powers Procedure Act, and two in particular are of great concern to the public boards.

This act of course governs many tribunal procedures before which a school board could appear, such as boards of reference, the Education Relations Commission, the Ontario Labour Relations Board, the Ontario Special Education Tribunals and the human rights board of inquiry. It also impacts some school boards' hearings, such as pupil expulsion hearings.

Under Bill 175, the Statutory Powers Procedure Act would be amended to order the exchange of documents, the exchange of witness documents and other forms of disclosure prior to or during the hearing. It could also authorize a full pre-hearing for examination for discovery.

Secondly, Bill 175 could empower the act to make interim awards, which are frequently used as a mechanism to require employers to maintain the status quo until resolution by the tribunal.

The Ontario Public School Boards' Association did get what I felt to be a very interesting legal opinion on this particular part of the legislation. If anybody wants it, I think they could call the public school boards themselves. But the end results of this amendment, according to the legal opinion that the boards have, is that Bill 175 will result in a significant increase in the cost and administration of proceedings and will formalize the administrative process. It will have a significant impact on school board costs and decision-making.

I think the other part that I would like to read into the record, if I can find it here, has to do with the interim orders:

"Interim orders"—and I'm reading from the legal opinion, because many of us can relate to this—"are also frequently used as a mechanism to require an employer or decision-maker to continue an undesirable 'status quo' pending resolution by the tribunal, ie, interim reinstatement of an employee who has been dismissed."

There are other interim arrangements that the school boards will have to deal with, according to this legislation and according to their legal opinion. Obviously, the Ontario public school boards do not support that particular change.

There is another piece that the school boards do not support. It has to do with part VII, the Ministry of Education and Training, with specific regard to the school board employee benefits payments. I'll read into the

record the concerns of the boards here:

"Currently the Municipal Act permits municipalities and local boards, including school boards, to pay all or some of the costs of supplementary health and hospital benefits for employees and retired employees. The Education Act (section 177) states that a retired employee can receive these group benefits until the age of 65 only if the employee pays the premium. The amendments in Bill 175 clarify that the board or the employee can pay the premium for group benefits up to the age of 65."

The Ontario Public School Boards' Association states, "As a result of this amendment, federations and unions will be pressuring boards to cover the costs of this coverage."

I think at this time we all agree that this is not the time to be giving more benefits that cost the public money to any particular group. What we're trying to do is hold the line here, and this arrangement, to the best of our knowledge, is one that has been certainly not one of any concern that's been raised in any public way on behalf of the school boards in the past.

Many boards have used their own discretion in how they do deal with their employees after the age of 65. The fact that the employee is being asked to pay the premium I think is fair. To now get this undue pressure, time, which means human resource time—that all comes out of the public education dollar. Every time you hire another lawyer or have another employee at the table or add to the scope of negotiations, it's time, and time right now I think is very expensive. We're talking about people who are representing the boards as we protract our labour relations negotiations. It just opens another door, which I think is very untimely at this particular crossroad in the challenges that our governments and our province face.

So the premiums for retired employees can be very expensive, and of course we have another pressure point for school boards and unions and I think raised expectations on behalf of employees and that's unfair. We're facing that in other deliberations in this House with regard to other bills in committee, at least that I was involved in this week.

Boards of reference is another particular concern here with regard to the Ministry of Education and Training and certainly the Ontario Public School Boards' Association. "Boards of reference are a judicial process that adjudicate disagreements between teachers and school boards regarding dismissals and contract terminations. To streamline the judicial process, the amendments in Bill 175 will permit retired judges to chair these boards as well as active judges."

The Ontario Public School Boards' Association position is this: "OPSBA has taken the position that boards of reference are not required, since there is adequate protection under collective agreements. The appointment of neutral judges could expedite the process. However, there is little advantage for a school board if this were to happen." That's their position, and I think it's worth taking into consideration.

So there are two very strong recommendations with

regard to this legislation if the government would take these into consideration. I know the time is late. I'm not certain that they've had any public hearings around this legislation, but I can tell you right now that these recommendations should be strongly considered by the government.

"OPSBA recommends that sections 109(6) and (7) of Bill 175 regarding changes to the Education Act to permit school boards to pay insurance premiums and benefits to retired employees under the age of 65 years be deleted from Bill 175." It's an added cost that we don't need at this time. It's a raised expectation that will only be met through collective bargaining, and I can't imagine anybody having the kind of money to throw into more benefits.

The second recommendation is this: "OPSBA recommends that sections 56, 57, 59, 60 and 61 of Bill 175 regarding changes to the Statutory Powers Procedure Act be deleted from the bill." I definitely would concur with the concerns of school boards.

I feel that this omnibus bill that is supposed to be just housekeeping is much more than that. Certainly the municipal bodies such as school boards once again are being dictated to by the province. These would have been simple amendments that have not been seriously considered by the government in any way. Both of them have impacts on school boards. They raise the cost of them doing business.

It won't be a surprise to the government of the day that I add this to my own personal list during the next election campaign as another example of the Bob Rae government asking school boards to add to their costs through legislation; an omnibus bill, a housekeeping bill that adds costs to education that have absolutely no impact in the classroom for teachers or for students.

This will not affect the quality of education and this adds time to the collective bargaining process, perhaps raises expectations. I speak today on behalf of students and parents and taxpayers in that these recommendations should be seriously considered and acted upon by the government.

1630

The Deputy Speaker (Mr Gilles E. Morin): Are there any questions or comments?

Mr Wininger: I'm surprised that the member for London North would suggest to this assembly that these amendments will result in added costs to school boards. The examples she gives I feel are much likelier to reduce the costs that school boards will experience.

For example, she raises the issue of disclosure of documents that will be permitted under this omnibus legislation. In court proceedings already, parties benefit from disclosure and discovery of documents ahead of time so that the issues in dispute can be properly framed and narrowed, and quite frequently this will expedite and reduce the costs to the parties rather than increase them.

The experience in the court, I would suggest, will be no different from the experience that tribunal proceedings will have. In other words, it will be of benefit to parties appearing before tribunals because they will be able to

disclose documents and therefore reduce the time and costs involved.

Second, the issue with respect to the power to pay benefit premiums for employees who take early retirement suggests to me that we'd be fettering school boards if we didn't allow these kinds of generous retirement options. The fact is that this legislation is permissive, not mandatory: It allows school boards to offer these kinds of packages. As school boards are facing ever-increasing constraints—and I don't only speak to the social contract and the expenditure control plan but constraints that school boards face locally—they'll want to avail themselves of as many options as they can for reducing their costs. One is to offer attractive early retirement packages, and this is exactly the kind of instrument we're placing in the hands of school boards from which they can benefit.

The Deputy Speaker: Any further questions or comments? If not, you have two minutes to reply.

Mrs Cunningham: I find myself, because of the member for London South's statement, in a position to read into the record the legal opinion, which of course gives examples of why this would cost more money.

"...under Bill 175, any tribunal governed by the Statutory Powers Procedure Act would be empowered to order exchange of documents, exchange of witness statements and expert reports, provision of particulars, or any other form of disclosure prior to or at any time during a hearing. Even more significantly, any SPPA tribunal would be authorized to order full pre-hearing examination for discovery, as currently occurs in civil litigation. These amendments will result in a significant increase in the cost and duration of administrative proceedings and will also formalize the administrative process."

That's where I'm getting my information. It's their legal opinion as opposed to that of the member for London South.

"Second, Bill 175 would confer upon SPPA tribunals the power to make interim orders. The Ontario Labour Relations Board has had a statutory power to make interim orders since Bill 40 was passed in January 1993"—here's the key sentence—"and our experience with interim applications before the board has not been positive. Interim applications require considerable preparation at a very early stage of the proceeding, and therefore result in a significant increase in costs. The parties will be required to map out the merits of their position immediately following the commencement of proceedings and on very short notice, in order to provide the factual legal basis for the interim relief application. Interim orders are also frequently used as a mechanism to require an employer or decision-maker to continue an undesirable 'status quo' pending resolution by the tribunal...."

I just want to say that he has given two examples to the boards that asked his opinion of where costs are greater. That's the opinion of the legal adviser to the school boards.

The Deputy Speaker: Any further debate?

Mr Callahan: I want to address a few items here, and it goes back to what I said earlier to—

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): Do you ever talk to your caucus whip?

Mr Callahan: I don't know what the House leader is talking about. Yes, I did talk to them, okay? I have permission. Is that what you're inquiring about?

In addressing this matter to the Speaker himself, I suggested that particularly in cases such as the omnibus bill that has been placed before this House, it becomes very difficult for any member of this Legislature to intelligently understand what the legislation is, because what we get is simply the amendments and references to them in the earlier part of it.

What I'd suggested, Mr Speaker, and have been suggesting for some considerable time to the Clerk's office, is that with the technology we have today, we might be able to have a statute before this Legislature set up in such a way that the text it's amending from the particular act is on one side of the page and the amendment is on the other side of the page so that a person who cares to read the bill and understand it before they debate it or vote on it in this House would be able to understand exactly what the terminology or the change makes in the particular piece of legislation. Otherwise, I suggest to you that all we're debating in this House is people saying, "Yes, I vote for it," and they have absolutely no idea what the bill's all about.

That's certainly not very safe democracy. The Speaker sent me a note saying he would discuss that with the Clerk. I think it's a very important fact that we have to have in this House so all of us understand exactly what we're doing when we vote on a bill, or we may very well be voting on a bill that may have diabolical or inappropriate consequences for the citizens of this province who elected us.

Having said that, I'd like to deal with a few of the provisions of the bill, which I find that even on third reading perhaps give me some cause for concern.

Under subsections 48(1), (2) and (6) of the bill, subsection 3(1), paragraph 7, of the Juries Act is deleted. What that paragraph says—and it would be helpful if we had the bill set up in the way I've suggested to you and the Speaker, if we had on one side the section that shows what it's all about and then on the other side the amendment. I've had to drag out three copies of the Revised Statutes of Ontario in order to explain my concerns about the particular issue.

This deals with the Juries Act. Under the Juries Act, certain people are not able to sit as jurors, and the list is there. It's elected members of the Privy Council, members of the Senate and House of Commons, every judge and every justice of the peace, every barrister and solicitor, every student-at-law, every legally qualified medical practitioner and veterinary surgeon engaged in practice, and every coroner. Then it also goes on to say: "Every person engaged in the enforcement of law including, without restricting the generality of the foregoing, sheriffs, wardens...superintendents, jailers or keepers of

prisons, correctional institutions or lockups, sheriff's officers, police officers, and officers of a court of justice."

Section 7 of that act also prevented their wives or persons they lived with in a conjugal relationship from sitting as jurors. I suggest that's being eliminated by this so-called housekeeping amendment, and I suggest that if the Legislature of the day, in enacting the Juries Act, decided it was inappropriate to have people who were so closely related to the justice system sit on a jury for fear they would use that expertise in an effort perhaps to persuade other jurors to come in with a particular result, if the Legislature of the day thought that was a problem, I would suggest the same problem exists, if not in actual fact at least for the appearance of justice, if a person is a spouse or lives in a conjugal relationship with one or more of those people.

I'm suggesting that is an amendment that is ill-conceived. Certainly to me it's more than a housekeeping matter. In fact, I suggest it has a significant impact on the administration of justice. I simply raise that for the purposes of the House, and perhaps the Attorney General or whoever might look at that and decide that's not appropriate.

Perhaps it's being done because in this day and age we feel that to deprive these people of their right to sit on a jury because they happen to be the wife of or in a conjugal relationship with one of those precluded people is being sexist. It's not being sexist at all. It is a safeguard to ensure that the person whose liberty is at stake is going to be judged by an impartial jury whose members do not proclaim to have special expertise.

I'll give you an example. If the wife of a lawyer or a police officer or any of those other people is selected for a jury and has previous knowledge from talking to their spouse or the person they're living in a conjugal relationship with, in terms of selecting that jury, if that person gets into the jury room and on the basis of that information persuades other members to change their verdict to either guilty or not guilty, I suggest that's unfair. At the very least it has, if not actual detriment to a person whose liberty is at stake, the appearance of that, and justice isn't as much a fact as an appearance of justice. So I suggest that's an ill-conceived amendment, and it's certainly not housekeeping.

1640

I refer also to a further amendment which is being made to repeal Section 5 of the Sale of Goods Act—I don't have a problem with that—and section 4 of the Statute of Frauds, which in a nutshell says you can't bring a lawsuit against somebody on a contract that is going to not be performed within a period of one year, unless there's something in writing to show that the person you're suing in fact entered into that contract. I think that's eminently a wise provision. It was put into the Statute of Frauds for the very reason of the definition of a Statute of Frauds, because people's memories of what's gone on in a year can be very difficult to reconstruct. If you've got something in writing, if somebody tries to sue you, you can demonstrate the piece of writing and you can eliminate responsibility.

Eliminating that section is also, I submit, more than a

housekeeping provision, and it's one that could have significant impacts in terms of, if nothing less, protracting litigation. Certainly, in this day and age, one of the things we don't need is encouragement or provisions being of such an uncertain nature that litigation will ensue. We've got too many lawsuits in the courts already and our courts are jammed and overworked. I suggest that is more than a housekeeping amendment and is one that perhaps is ill-conceived.

Section 68 is the amendment that says: "Under the Ministry of Community and Social Services Act, members of the Social Assistance Review Board will be able to be reappointed for a term of up to three years. Now, the term for such reappointment is fixed at three years." That is, they can only serve three years, and now we are giving them the right to be reappointed for a further three years. I ask the question, why? Is there something special in that, or is it an opportunity to keep these people on for a further three years? I'm suggesting that doesn't have to be enshrined in legislation and it shouldn't be. There should be opportunities opened up for a fresh body of people to serve on that most important board.

One further item is that under sections 72, 73, 79, 80, 83 and 88 there is an amendment being made, and I'm referring most specifically to item 8 where in the case of a business operation, an incorporated body, we now "Eliminate the requirement that a corporation advertise its intention to dissolve."

I suggest that is an ill-advised amendment and it's certainly not a housekeeping amendment. What that means is that if you're dealing with a corporation in whatever way, shape or form, that corporation can enter into a dissolution of itself without any notice to its creditors, any notice to any interested parties. "Eliminate the requirement that the corporation advertise its intention to dissolve" is substantive, and it was a safeguard put in there specifically to protect people, through our mass media, in terms of being able to know when a corporation is being dissolved. I suggest that's not housekeeping either.

Having said that, I just want to make a few final comments in a general way.

I think I have just indicated to you, Mr Speaker, and to anyone viewing the books in front of me, just how antiquated our system is when we provide, particularly as has been done today, one of the largest bills I've seen, and presented as an omnibus bill, and all it has is meaningless phrases in it; there's nothing to tell you what the original act says.

In our day and age, with the technology we have, in the case of the first suggestion I made to you about the question of the Juries Act, you could have simply reproduced the section that is about to be amended; put the amendment on one side of the page and the pre-amended legislation on the other side. That allows people not to have to hunt back and go through the RSOs, which is difficult enough even for a person who is trained legally, but for many of us who are not trained legally it's an impossibility. What in effect it means is that many of us have absolutely no idea what the legislation is that's before this House that we're called upon to vote on.

We rely to a large degree, if not totally, on the legal people in the bureaucracy to satisfy us that the legislation is appropriate. We also have the benefit of going out to committees and hearing from various bodies in terms of what they think of it, but again we're relying on outside bodies.

I think it's important that the members of this Legislature pursue and carry out the function for which they were elected, ie, to scrutinize legislation and to attempt to understand it as best they can in order to make a reasoned and intelligent decision about whether they should vote yes or no for a particular piece of legislation. Otherwise, I suggest that the 130 members in this House become nothing more than warm bodies that are called upon to vote when a particular piece of legislation is put forward. Certainly, that is not satisfying or carrying out the responsibility of a parliamentarian who has been entrusted with the right to make these decisions on behalf of the citizens of his riding.

I suggest we could go a long way by entertaining and putting into place the first suggestion I made about how we set up our bills. It's long overdue. I spoke to people about that at least over three or four years ago and nothing has been done in that respect. I don't believe it's impossible. I believe it's quite practical and quite easy to do.

Finally, this act deals with certain elements of the administration of justice. I would hope to see housekeeping or perhaps substantive pieces of legislation that would deal with the very serious problem we are having, which is growing worse every day, in terms of the application by parliamentarians to the concerns about the administration of justice. For some reason, justice doesn't seem to be a terribly exciting issue to anybody in elected office, I guess because it doesn't carry the political sexiness of something like gaming rules or business rules or whatever.

But in fact—and I make a statement today which I hope will never happen, but I suspect it's going to happen very shortly—our justice system is going to explode. We are going to have to deal with that issue in a very quick and ill-planned way, and as always, when you don't anticipate and plan for something as sensitive and as important as our civil and criminal justice system, when you have to deal with it in an explosive situation you'll deal with it inappropriately and it will be expensive for the taxpayers of this province.

There are court cases in this province—and the Attorney General should read this—that are going to have people released to the streets, who are going to have the charges stayed against them, that are going to make Askov look like a picnic. That's going to happen all over this province.

I have asked the auditor of Ontario, as an independent person, to investigate the state of our justice system in terms of cases that are over a year old, cases that are over two years old, cases that are in significant danger of being stayed in this province, because I think it's going to be a sad day for the province of Ontario, and for Canada for that matter, if we don't get our act together in terms of ensuring that the justice system receives the

respect, the funding, the resources and the amendments to the legislation that are required to ensure speedy and effective justice both civilly and provincially for people in this province.

1650

Mr Winninger: The member for Brampton raised quite a number of different issues and two minutes doesn't permit me to respond to all of them. Just briefly, there was extensive consultation regarding the amendments to the Juries Act. While the member from Brampton may criticize the provision that prevents a spouse of a lawyer, judge etc from sitting on a jury, it was found through a rather broad consultation that it was appropriate.

I remind the member, and I know he knows this phrase well, that justice must not only be done but be seen to be done. If an observer happened to see a trial take place and expressed concern that a member of the jury might be unduly influenced by his or her relationship with a member of the bar or the judiciary, then perhaps justice might not be seen to be done, so it's important to have that safeguard.

As far as the Statute of Frauds is concerned, there has been considerable pressure for many years to amend this section. I think the concern of the member for Brampton is not a concern well taken. What this amendment attempts to do is keep step with progress, keep step with the fact that nowadays many contracts are entered into by electronic transmission. There is in fact a record of that transaction. It may not be a conventional one, but it's done electronically. What this legislation does is respond to technological advances that we all need to keep abreast of.

Changes to the corporations law: Quite frankly, this again was a product of extensive, broad consultation with the business community and in fact these changes enjoy widespread support that I think the member for Brampton could test if he really chose to do so.

The Deputy Speaker: Any further questions or comments? If not, the member for Brampton South, you have two minutes.

Mr Callahan: I thank the member for London for responding to it. I didn't quite catch what his comment was about my suggestion about the Juries Act. He rolled it right into the next one. I hope he wasn't saying that's keeping up with the order of the day and I hope he was following up on his initial comments that the appearance of justice is as important as justice.

If a person were to see a lawyer's wife, a judge's wife, a police officer's wife, a sheriff's wife, a prison warden's wife on a jury, I would think that would cause at least concern in terms of the appearance of justice. I'm sure they're fine, capable people, but I suggest to you that this does in fact give me concerns about the appearance of justice.

Finally, I guess, as I said in my opening remarks, the concern I would have is that those people may very well have what you'd call pillow talk. I hope that's not going to get me in trouble in terms of being not politically correct. Some of that information that is supposed to be

kept secret and to themselves may very well influence the person who is sitting on that jury.

I think that's the very reason why when the Juries Act was originally set up these people I listed before were listed. That's why they specifically listed their spouses, and it's been enlarged over the years to keep up, I guess, with the times; it's the people who are living in a conjugal relationship. I suggest to you that it does in fact create a problem and it creates a problem not just from the standpoint of the appearance of justice but perhaps actual justice.

In the final analysis it may wind up as a case being set aside, a jury verdict being set aside because of some comment that's made that this in fact lacked the appearance of justice and thereby was a bad jury. We've seen that already. We've seen jury panels challenged for many other reasons such as that.

The Deputy Speaker: Mrs Boyd has moved third reading of Bill 175, An Act to amend the Statutes of Ontario with respect to the provision of services to the public, the administration of government programs and the management of government resources.

Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

BUSINESS REGULATION REFORM ACT, 1994

LOI DE 1994 PORTANT RÉFORME
DE LA RÉGLEMENTATION DES ENTREPRISES

Ms Churley moved third reading of the following bill:

Bill 187, An Act to reform the Law regulating Businesses / Projet de loi 187, Loi portant réforme du droit réglementant les entreprises.

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): I'll just say a few words here and start by thanking members of all three parties for the input and suggestions, notwithstanding at times the misunderstanding of the bill. I particularly want to thank my parliamentary assistant and the staff from the ministry and the Ministry of Finance who worked so hard to get this up and running on time and within budget. It was quite a feat and I think goes to show that government can be very efficient.

Each year there are about 90,000 new businesses that start up in Ontario that have to deal with between seven and 10 ministries just to fill in forms. We want to see business doing what they do best, and that is growing and creating jobs. That is why we launched this Clearing the Path initiative with some of the startup workstations that are in place, and more to come in the spring. Over time, by 1995, businesses will be able to register electronically, be able to do all sorts of innovative things much more quickly due to this bill. So this really does revolutionize how government relates to business, and I expect and will appreciate the full support of all members in the House. I thank you for your time.

The Deputy Speaker (Mr Gilles E. Morin): Questions or comments? Further debate?

Mr David Turnbull (York Mills): I will be very brief on speaking to this bill on third reading. The other

day, when I spoke to it on second reading, about a minute before I rose to debate this I learned that the government was in fact putting another of its closure motions through to hobble the business of this House.

The government has spent some length of time studying, apparently, the impediments to business, and it's laboured and put forward a mouse. They come forward with this measure which in essence is going to combine four forms. That's a great idea, to combine four forms, and nobody denies that's a good idea, but the fact is that we have some 43,000 forms that the government has, and in combining four forms I would suggest that there's absolutely no reason to bring legislation forward. They could easily do this by a stroke of the pen.

But it is basically to make up for the lack of agenda that this government has. The government brought us back some five weeks late. We're rising at the end of next week, a week earlier than we should be rising. It's really a death watch, and frankly, in commenting about the government, it's like kicking a corpse.

Nevertheless, it bears comment that the government hasn't listened to the concerns of business, the concerns of the people who create jobs for the vast majority of people in this province, and that is small business. We have learned from the Canadian Federation of Independent Business that as many as 25% of their members, and they have a rather large membership, spend one day per week on compliance with government red tape and regulation.

1700

As I said when I rose on second reading, nobody denies the fact that there are important reporting functions to government and there are tax forms to fill in and there must be some compliance. There's absolutely no argument from my party on that. But the government has failed to come to grips with the fundamental problems of business.

My own party, the Progressive Conservative Party, held hearings throughout this province over an extensive period of time. The Mike Harris task force on small business heard from the business people of this province, and there was a great consistency to what they had to say. They said, "Compliance dates are choking us," which is exactly in line with what the Canadian Federation of Independent Business survey indicated. They've told us that the labour laws are very restrictive and act as a drag on their ability to create new jobs. They have told us that the tax system in this province is so excessive that it is an unattractive place to either create a new business or to expand business.

In fact, I have spent the last day and a half at a conference, titled *Hitting the Wall*, which was put on by the Fraser Institute. It was suggested that in fact this country may already have hit the wall. We haven't hit a hard brick wall, we have hit a soft foam wall, but we're probably running out of foam.

This government has been borrowing massively overseas. That's the sad thing, the fact that the citizens of this province and this country don't have confidence in buying the bonds of this government, so this government

has been forced, with its massive borrowing, to go overseas and has been borrowing, on average, about \$1 billion a month, about \$12 billion a year. Indeed, when the government was finally forced to the wall of changing its accounting methods, it had to tacitly admit that its deficits were significantly greater than the amount it had been reporting year over year.

The ability to attract businesses to Ontario is significantly reduced by a regime which is unfriendly to business and is not listening to the needs of business. Business is concerned about the potential liabilities of the unfunded liability within the Workers' Compensation Board, and the government has failed in any meaningful way to address that. They have ignored the cries for lower taxes.

My party has come forward with a document called *The Common Sense Revolution*, which anybody watching can get by calling 1-800-903-MIKE. This document results from an extensive consultation with the people of Ontario. It is the most extensive consultation that any political party in Canada has undertaken. We have spent some three years in developing this document and it has been endorsed by economists.

It was very interesting. In the conference on hitting the wall that I attended, international economists, politicians and people from senior positions in the national banks of all of the countries that had hit the wall, all outlined a system by which they believed countries—and they weren't talking about Ontario. They didn't know about our document. They just simply said that you have to get government out of the lives of people to a great extent, you have to reduce taxes, you have to reduce the reliance of the public on government handouts and you must give an incentive for business to stay and do business and pay taxes.

There have been some significant examples of governments around the world that have reduced taxes in the face of very difficult situations, and at the end of the day, after very large tax decreases, they have had higher revenue and businesses have found it more attractive to locate in those countries. These countries have got every conceivable political system. You have New Zealand, Mexico, Chile, Sweden, Britain—the list goes on. These countries all have one thing in common, and that is that they hit the wall because borrowing became so massive.

Now in fact in Canada we have proportionately a higher amount of borrowing than those countries have had when they hit the wall, and yet my colleagues across the floor still stick their heads in the sand and ignore the fact that we have a serious problem. It isn't all of your making, and I and my party are not suggesting that. We are just saying it is high time that you came to terms with marketplace solutions that have been tried and successful in countries around the world under every political banner. If you did this, you would have a much-improved economy.

I am not a pessimist. I believe that we can turn things around, but this government has raised the amount of debt of this province to some \$90 billion. When you combine that with federal debt, when you combine all of the provincial and all of the federal debt all across this

country, we have staggering amounts of debt. In addition to that, there is the unfunded liability of pension plans at both the provincial and federal levels which are considered by the international bond raters, and they are concerned. They are concerned because we are at a significantly higher level of debt than Mexico was, which we always considered to be a Third World country, a banana republic. But indeed, they hit the wall at a lower level and they have had to come to terms with very harsh realities.

I will say to you that it is much better for you to come to terms with it and that the government of the day of whatever political stripe deal with it in a rational way rather than to allow the international bankers to be making the decisions which undoubtedly will have to be made.

One thing that was abundantly clear in this conference is that you can't escape these changes. It doesn't matter what political persuasion you are; it doesn't matter what your rhetoric has been in the past. You will have to make these changes because you cannot continue to keep on adding to the mortgage of the family home. It doesn't work, and unless we realize this and come to some sensible solutions, we're doomed.

That is why Mike Harris put forward the document *The Common Sense Revolution*, in which he proposes to reduce the provincial portion of income tax by some 30%, which is the equivalent of a \$4-billion reduction in revenue. He is proposing to reduce expenditures of the government in non-priority areas by some 20%, which is the equivalent of \$6 billion. So at the end of the day we will be \$2 billion to the good.

We are ensuring and we are guaranteeing in this document that we will protect three essential areas of government which we believe the people of Ontario want us to protect. We will not touch the health care envelope and we commit in writing to this. We will not touch the classroom portion of education spending. We commit to that in writing. In addition to that, we will address the serious problems of government, of fat in government. We will also protect the law-enforcement budget, which is dear to all the people of Ontario with all of the rising stories of crime on our streets, particularly in Metropolitan Toronto. I know the constituents of my own riding, York Mills, are concerned with this phenomenon.

Indeed, we have guaranteed that we will protect those budgets, so we've taken those parts of the budget out and we will not touch those. We obviously cannot touch the part of the budget which is attributable to debt service. So the balance of the budget will be reduced by 20%, and that is the equivalent of \$6 billion.

1710

I see my good friend the Speaker is pointing to the bill at hand. Indeed, Bill 187 has everything to do with this because the government calls this bill, through the ministry of clever names for bills, *Clearing the Path*. If you want to clear the path, then please listen to what the people of Ontario are saying. Listening to what the economists are saying is essential; that is, we must have reduced government spending. We are proposing, with our document *The Common Sense Revolution*, to reduce

spending. We're going to reduce it by \$6 billion. The current budget is some \$55 billion.

We will—

The Deputy Speaker: Order, please. I wish you would only speak to the bill, please, Bill 187. It says *An Act to reform the Law regulating Businesses*, and that's what you have to speak on, please.

Mr Turnbull: I believe it goes to the heart of this bill that the government isn't really clearing the path; it is paying lip-service to it. It is combining four business forms and bringing forward a bill which is totally unnecessary as window dressing because they have run out of an agenda. They don't know what they're doing. So, because I don't want to kick the corpse of the NDP any further, I will leave with that thought. Please listen to what the taxpayers of Ontario are saying: "Get off our backs. Reduce spending."

We are proposing to reduce spending to some \$49 billion, which is still, on an inflation-adjusted basis, significantly higher than the last Tory budget in this province of \$26 billion. Inflation-adjusted, it is still significantly more. This is how we are contributing towards clearing the path in our party. I wish the government, in putting forward this bill, would consider what the real concerns are of business instead of paying lip-service to it.

The Deputy Speaker: Questions or comments?

Hon Ms Churley: Just for a moment. I might not even take up my two minutes here. I don't believe that the member for York Mills was talking to this bill whatsoever. It was just another opportunity to go on the hobby-horse about how this government doesn't understand business and the Tories do.

I just want to reiterate once again what this bill is all about as opposed to what the member for York Mills said. It has nothing or very little to do with, as he keeps saying, opening up four workstations in the province of Ontario. He said that could be done with the stroke of a pen. In fact, it was, and the 50 that will be up by the spring will be done, as he put it, with the stroke of a pen, although I would say that the people who have worked very hard to get the software system in place in these stations set up might not say it's the stroke of a pen. He's right. We did not need legislation to do that, but somehow he keeps repeating that this is what this legislation is all about.

This legislation is very clearly about clearing the path. The legislation that we are putting in place today, which I know he's going to support at the end of the day, is all about cutting red tape. We had to have legislation in place to allow us to continue the programs we're now starting which didn't need legislation. This allows us to go ahead with uniform reporting and, as I said earlier, electronic filing, all kinds of innovative ideas that we are putting in place so that we can use the new technology that exists.

Small business out there, which we have consulted with and which worked with us to come up with this program, has told us very clearly that it wants red tape cut. It's other governments that have developed this red

tape over time, and we are the government that is responding and doing something about it.

The Deputy Speaker: Any further questions or comments? If not, the member for York Mills, you have two minutes.

Mr Turnbull: Indeed, the minister adequately illustrates what I'm saying. The fact that they don't need legislation and that they say, oh, they've consulted with business—I would suggest that businesses, as am I, are supporting the idea of combining four forms, and a few electronic stations—big deal.

Why don't you get on? You created so much paperwork and the previous Liberal government created so much paperwork. The previous Liberal government in fact created 9,000 extra civil servants when it was around, at the very time that business was going in the opposite direction of making business more efficient.

Now at least the government today is trying to do some things, but unfortunately many of the things it's doing are very transitory in their nature. They've brought forward the social contract, in which they said they were going to change the way government operated. At the end of the social contract, it's back to the status quo. They

haven't made the fundamental changes.

Instead of making the changes and reducing the size of the bureaucracy, they have continued with the same level of bureaucracy. Admittedly, they say they're not hiring any new people, except of course if they happen to be political staff who are on ministers' staff and then they get a job at preferential terms to people from the outside who are not allowed to apply for jobs in the civil service.

This is the fact: that all of the hangers-on of the NDP are being stacked into the civil service so that future governments are going to have this rats' nest of socialists to have to fight with in order to get legislation through. Well, I'll tell you, future governments will not just allow themselves to go into that trap. They will take the measures that are necessary.

The Deputy Speaker: Mrs Churley has moved third reading of Bill 187, An Act to reform the Law regulating Businesses.

Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

Report continues in volume B.

ERRATA

| No. | Page | Column | Line | Should read: |
|-----|----------|--------|------|---|
| 158 | 7795 | 2 | 22 | earliest possible opportunity. |
| 158 | 7800 | 1 | 7 | and the rest of us here would want the benefit of those |
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| 161 | 7922 | 1 | 37 | pay tribute to Fred Allan Healey, who passed away |
| 161 | 7922 | 1 | 39 | accident. As we pay our respects to Mr Healey, I would |
| 161 | 7922 | 2 | 4 | said, "Mr Healey always thought about dairy policy in |

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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No. 165B

N° 165B

ISSN 1180-2987

**Legislative Assembly
of Ontario**

Third Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Troisième session, 35^e législature

**Official Report
of Debates
(Hansard)**

Thursday 1 December 1994

**Journal
des débats
(Hansard)**

Jeudi 1 décembre 1994

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 1 December 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 1 décembre 1994

Report continued from volume A.

1720

SUPERANNUATION ADJUSTMENT BENEFITS REPEAL ACT, 1993

LOI DE 1993 ABROGEANT LA LOI INTITULÉE SUPERANNUATION ADJUSTMENT BENEFITS ACT

Mr Sutherland, on behalf of Mr Laughren, moved second reading of the following bill:

Bill 107, An Act to repeal the Superannuation Adjustment Benefits Act and to provide for the transfer of assets and liabilities of the Superannuation Adjustment Fund Account to the Ryerson Retirement Pension Plan of Ryerson Polytechnical Institute / Loi abrogeant la loi intitulée Superannuation Adjustment Benefits Act et prévoyant le transfert de l'actif et du passif du compte du Fonds d'indexation des pensions de retraite au Régime de retraite de Ryerson de l'Institut polytechnique Ryerson.

Mr Kimble Sutherland (Oxford): This bill is the result of an agreement negotiated between the Minister of Finance and the president of Ryerson Polytechnic University. The government and Ryerson worked together to achieve this agreement to end the partial funding of indexation benefits and achieve full funding of Ryerson's pension plan.

Bill 107 implements this agreement. It repeals the Superannuation Adjustment Benefits Act, which dates from 1975. Since 1990, this act has only applied to the indexation of pension benefits for members of Ryerson's pension plan.

In 1975, the government of the day decided to ease the funding requirements for inflation protection of pension benefits. It amended the Pension Benefits Act regulations to allow pension plan sponsors to establish separate indexation funds. These indexation funds were to be funded on a pay-as-you-go basis.

Under the Superannuation Adjustment Benefits Act the government offered to create separate superannuation adjustment funds as the indexation funds for each pension plan. This offer was accepted by members of the public service pension plan, the teachers' pension plan and the Ryerson pension plan.

In the late 1980s, it became evident that the cost to the government to cover the inadequate funding of these funds would lead to serious financial problems by the turn of the century. These problems would be magnified as the baby-boom generation began to retire.

In 1989, the basic pension funds of the teachers' plan and the public service plan were each combined with their superannuation adjustment funds. The government legislated measures to achieve full funding of pension benefits of both plans. It agreed to retire the deficits of both combined funds incurred up to 1989. Also, the

matching contribution rates of each plan were increased to fully fund benefits earned after 1989.

The Ryerson superannuation adjustment fund was the only indexation fund whose financing was not addressed in 1989. It still provides partially funded automatic full inflation protection under the original act.

Under pay-as-you-go funding, the Ryerson superannuation adjustment fund would be exhausted by about the year 2013. The longer the Ryerson pension situation was left unchanged, the greater would be the cost to the government of fixing it. The agreement between the Minister of Finance and the president of Ryerson eliminates the government's potential liabilities and provides greater security for pension benefits. This agreement provides that:

—Ryerson combines its basic pension fund, which is under its jurisdiction, with the indexation fund, which was previously under the government's jurisdiction.

—Ryerson increases the contribution rate from 7% to 8% for its plan members to achieve full funding of future pension benefits.

—The government pays the combined basic and indexation funds' deficit of \$19.1 million. This will eliminate the government's potential liability at less cost than if it was held liable when the fund was exhausted.

—The government also pays \$2.3 million in temporary financial assistance to help Ryerson adjust to its higher employer contributions.

In addition to repealing the Superannuation Adjustment Benefits Act, Bill 107 allows conversion of Ryerson's deposit assets in the superannuation adjustment fund into debentures and transfers them, with Ryerson's indexation liabilities, to Ryerson. This enables Ryerson to fulfil its agreement to combine the basic and indexation funds of their plan.

Bill 107 will benefit the 1,600 members of the Ryerson pension plan by making their pension benefits more secure. Ontario taxpayers also benefit, as it will reduce future tax liabilities.

I think it's also important at this time to make some comment regarding this whole issue of funding of pensions. The reason is because we often hear about how well managed things were during the 42 years of Conservative government, how they managed everything and they kept their budgets under control and there wasn't extra spending. Well, of course, now what we find out after they're out of government is that in effect things weren't as well managed as they've been tried to be portrayed, because we find that with some of these things, the costs are coming due for future governments.

The previous government, much to its credit on this issue, in 1989 decided to make some changes to ensure

that some of the pension plans were fully funded. I'm not sure why the Ryerson one wasn't dealt with at that time, but it wasn't. But clearly it becomes evident that we now see that things weren't as well managed as some people like to say for 42 years, because they weren't putting the money away, as we hear often from them, at the time to cover the full cost into the future of these pension plans and the indexation requirements. We saw that with the teachers' plan, and of course here another example with Ryerson.

I guess while I'm at it, it shows too, for those who say that during those 42 years life was wonderful and everything was well managed, we've seen other examples, of course, that that wasn't the case. I look at the Workers' Compensation Board, where in 1980 the unfunded liability of the Workers' Compensation Board was only \$400 million. By 1985, what is the unfunded liability? It's up close to \$6 billion. And then of course we know that by 1990 it was even up to \$10 billion.

So this bill, while it has a lot of positive aspects, particularly for those people who are employed at Ryerson, and it does show a sense of good government by dealing with this concern and not deferring it to the future where it would cost the government more money, does show that for those who want to portray the 42 years of wonderful management under Conservative governments, we see examples that in effect the bills weren't paid then or the money wasn't put aside to pay the future bills. It was just deferred.

Of course, when we talk today of where governments are in terms of dealing with their finances and some of the issues, if the government of the day had set aside appropriate moneys, I'm sure that things would be even in a little better shape. We probably wouldn't have had to commit as much money in the last few years as we have to ensure the financial soundness of these pension plans, and of course that would mean reduced government expenditures, reduced deficits. We know we hear from the third party quite a bit about how concerned it is about those issues.

I do think in this debate it is important to bring that to everyone's attention, that things maybe weren't quite as well managed as the members of the third party like to portray on many occasions and that some of the bills that should've been paid or money set aside to ensure that they would be paid at the time were not.

With that, I will conclude my comments and look forward to the others who will be participating in this debate.

The Deputy Speaker (Mr Gilles E. Morin): Questions or comments?

Mr David Johnson (Don Mills): Maybe I'll just rise to the challenge, because the parliamentary assistant has indicated that things may not have been so properly managed back a number of years ago during Progressive Conservative years. I do know that there's a problem that has to be corrected with regard to this pension fund. We'll be speaking to that in a few minutes. But I might say that when the Progressive Conservative Party left office—and at that point in time I was the mayor of the borough of East York; I wasn't a member of the caucus—at that

point in time, in 1985, the debt in the province of Ontario was \$25 billion.

You can talk about one particular pension plan, and you can talk about \$21 million that needs to be transferred to correct a situation in one particular pension plan, but if we're going to talk about management, let's look at the overall management of the province of Ontario.

The debt just nine years ago was \$25 billion in the province of Ontario. When this government took office in 1990, the debt had risen through the Liberal regime to about \$45 billion. In four short years, this government has increased the debt of the province of Ontario, has doubled the debt of the province of Ontario, from about \$45 billion to \$90 billion; a \$90-billion debt hanging over our children, our grandchildren, that's going to be passed along to future generations.

If we're going to talk about management, I would be a little hesitant if I had that sort of a track record of doubling the debt, of having four successive years of deficits in excess of \$10 billion. I think I would be a little bit ashamed to talk about good management in the province of Ontario if that was my track record.

Mr Drummond White (Durham Centre): Just briefly, I would like to commend my colleague the member for Oxford on his remarks. As always, he shows how well researched he is, how well he looks after these issues and how this government has in fact completed a thorough investigation of the pension issue for Ryerson and met a problem that's been existing with us for a long time.

My colleague opposite talks about debt and how it has accumulated. He says that during the Tory regime it didn't amount to as much as it did during the previous government, during the Liberal government here. However, he fails to mention that while his colleagues in Ottawa were in power they seem to have amassed an incredible amount of debt without deviating one iota from debt slashing, deficit slashing. Somehow, as they were doing that, they were able to accumulate immense amounts of debt. That's a tremendous paradox that my friend forgot to comment upon.

Again, I'd like to comment upon my colleague's excellent remarks and let him get on to his summary.

1730

Mr Sutherland: I thank the member for Durham Centre and the member for Don Mills for their comments.

Let's talk about the management, though. The Tories ruled during a time when they were getting 50-cent dollars from the federal government to cover the major expenditures of the time. This government is not getting 50-cent dollars. In many cases, we're down to 30-cent federal dollars. Who made that decision?

So for him to say, "Oh, yes, we had wonderful management," again I repeat: the pension funds, not enough money put in them at the time. That's costing us now. The Workers' Compensation Board's unfunded liability was \$400 million in 1980 and up over \$5 billion, \$5.5 billion, close to \$6 billion by 1985 when they went out of power. I didn't mention in my opening comments

Ontario Hydro and how its debt grew tremendously, even though everyone knows in this province we've always had power at cost, at the real cost.

There are all kinds of other examples where we can clearly see that while the impression was left that everything was being run very effectively, very smoothly, good government for 42 years, the bills came due after the Tories were out of power. That was really the point I was trying to make here, because we hear from the members of the third party on a regular occasion: "Things were so wonderful for 42 years. Government ran smoothly. Everything was just terrific, and we managed it so effectively." Well, I would suggest that if they had managed it so effectively, we probably would not be here today debating this specific piece of legislation, which is to try and rectify a problem they did not address when they were in government.

The Deputy Speaker: Any further debate?

Mr Bruce Crozier (Essex South): It is a pleasure for me this evening to speak to Bill 107. This bill, as we know, represents the completion of a reform of public sector pensions that was begun under the previous government. As such, the passage of the bill is important, and especially for Ryerson university, which can now bring its pension plan up to date.

For the record, I would like to read a letter that came from the office of the president and vice-chancellor of Ryerson, Terence W. Grier—no coincidence, I should suspect. But this letter, addressed to our leader, Lyn McLeod, says:

"Ryerson requires passage of legislation in the coming session in order to complete the transfer to our custody of benefits under the Superannuation Adjustment Benefits Act. You will recall that Robert Nixon began the process of winding down the SABA when he was Treasurer. The teachers and the Ontario public service were also affected.

"Under the agreement we worked out in 1992 with the Ministry of Finance, the government undertook to introduce a bill which would provide for the repeal of the SABA fund with respect to Ryerson and formalize the financial arrangements. This bill was given first reading in December 1992, but has yet to be called for second reading," and this letter was dated September 18, 1994. "Until the legislation is passed, Ryerson remains unable to control or manage the assets in question or to apply the funds towards the indexation of its employees' pension benefits, as it is obliged to do."

He goes on to say: "I'm concerned that further delay will jeopardize our ability to maintain a fully indexed benefit. For these reasons, we have been urging the government to place the bill on the legislative agenda for this fall. However, I believe the chances of this happening would be greatly improved if there was prior agreement among the parties to deal with it expeditiously as an uncontroversial item. I'm writing in the hope that you and your party would be amenable to such a course of action. I will be in touch with your office in the near future to follow up and would be pleased to arrange whatever additional briefing you might require."

As I said, that's signed by Terence W. Grier, the president of Ryerson.

As requested in the letter, he had asked that we would be amenable to such a course of action, which we are.

The fact that it took the government so long to bring in such a non-controversial bill proves, we think, that the NDP is still a bit incompetent in managing its legislative agenda.

I would interject at this time that I don't know whether there's any party in this place that should take a holier-than-thou attitude when it comes to deficits when I constantly have to remind the House that the Provincial Auditor, for the year ended 1990, in his report of 1991 said, "Ontario has had only one surplus in the last 20 years." Of course, we all know that was a Liberal government that had that only surplus in 20 years. Some will say that this was done in good times. The fact is that at least the money was managed, notwithstanding the fact that it was in good times, and I wish we didn't have to constantly repeat that the only surplus in the last 20 years, and now 23 or 24 years, was with the previous Liberal government.

Even as this chapter in public sector pension reform is being written, the NDP is engaged in other policies that are harming the financial soundness of the province's public sector pension funds. Last year, the Provincial Auditor gave a qualified—and I emphasize "qualified"—approval of the 1992-93 public accounts. In other words, he refused to sign the books without any reservation. Why? It was because the NDP decided to delay \$500 million worth of pension payments into the teachers' pension plan for that year. The government did this, and at the same time paid approximately \$5 million of taxpayers' money for the privilege of doing it, in order to make the deficit look better. The auditor said this was wrong by giving a qualified statement, and he told the government so.

The pension fiddling under Bob Rae actually gets worse. Currently the government is taking a two-year holiday from its contribution to the teachers' pension plan and the public service pension plan. This move will add to the government's revenues and thus—falsely, I feel—reduce its deficit. How can the government afford this tax holiday? The government says that lower-than-expected inflation and lower-than-expected salary increases for public servants have left the plan temporarily overfunded according to the existing payment schedule.

The government could have used this money, could have used this actuarial good fortune, we might say, to reduce the unfunded liabilities of both plans faster than anticipated. That would have placed both plans, we feel, on a sounder financial footing for the future. Instead, the NDP took the money out of the plans and used it for its own programs, such as the failed Jobs Ontario Training—

Hon Stephen Owens (Minister without Portfolio in Education and Training): What do you mean, "failed"?

Mr Crozier: —and to dress up its deficit, which the auditor now estimates at being \$2 billion higher than the government's projections.

Interjections.

The Deputy Speaker: Order. The member for Essex South has the floor.

Mr Crozier: Essentially, this government is taking the pension surplus from these two public sector pension plans and wasting the money on the NDP's failed economic agenda. I don't hear the member across objecting to that suggestion, that they're taking this pension money and using it for other purposes.

Hon Ed Philip (Minister of Municipal Affairs): What are you talking about? Absolute nonsense.

Interjections.

Mr Crozier: Now I hear them objecting, so I feel as though I must have touched a tender point.

Hon Mr Owens: The only thing with a point is your head.

Mr Crozier: You aren't the first one to question my head, but I'll leave that up to the people in Essex South.

The Deputy Speaker: Order. There is a period for questions and comments afterwards. Please take advantage of that.

Hon Mr Owens: I will.

Mr Crozier: Thank you, Mr Speaker. I'm ready to conclude and then I'll give him that opportunity.

When in opposition Premier Bob Rae—and this is on the record—used to yell at Conrad Black, if you will recall, for exactly the same kind of business practice; that is, taking what were considered at the time to be excess funds out of pension plans. The Premier made quite a point about that.

1740

In the late 1980s, the issue of who controlled the private pension plan surpluses—was it management or the employees, the workers?—was a big issue for this government, but today it doesn't seem to be that big an issue. The party argued that employees should benefit from better-than-expected performance and not the companies or, in this case, we say the government. I see a parallel between the two, but I see an opposite point of view by the government at this time. Now that Mr Rae is in government, he seems to have conveniently forgotten this.

As I said at the outset, we agree with Mr Grier that the passage of this legislation is long overdue. We are anxious to see it proceed and we only wish that the government would have acted as expeditiously on other issues.

The Deputy Speaker: Are there any questions or comments?

Mr David Johnson: The member for Essex South raised a point which caused some consternation on the part of the government members. I wish to thank him for raising that point; I am just trying to recall the details. It involves the public pension plan for the OPSEU members. My recollection is that, because of the social contract process, the OPSEU members were mightily upset with the government. Certainly, restrictions were imposed on their salaries. As one way to curry favour with OPSEU—and it had always been OPSEU's hope that somehow they could get control of their pension plan.

However, there are other members in this pension plan. The Ontario Provincial Police, for example, have mem-

bers in the pension plan; there are management members, non-union members in this pension plan. So it was decided to split the pension plan apart so that OPSEU would have its own pension plan and would gain control over that pension plan—that is something the union considered highly desirable—and then everybody else would be in the other side of the pension plan.

The only problem was that the other members were not consulted. Not only were they not consulted, but the Ontario Provincial Police in particular had a clause in their agreement with the government that they would be consulted if ever it was to be considered that the pension plan would be split, and that clause is violated.

The problem was that, in the view of those who were separated away from the OPSEU side of the pension plan, they did not get their share of the assets of the plan; they were shortchanged. This was to the advantage of the government, because the government made an arrangement to reduce payments, which reflected in the operating budget, and this was of benefit to OPSEU, but obviously the other members of the plan suffered.

The member for Essex South has raised this and I thank him for it.

Mr Sutherland: To respond to a couple of the comments of the member for Essex South, first of all, he mentioned the "failed" Jobs Ontario Training program, and that simply isn't the case. Over 60,000 people have jobs because of the Jobs Ontario Training program. Hundreds, thousands of small businesses out there which would not be able to access training in any other way have been able to do it through this program. The challenge I would pose to the member from Essex is, if you don't like the Jobs Ontario Training program, what is your training program? What program are you going to put forward?

When you were in government, you put forward OTAB as a model, and now your caucus doesn't support OTAB any more. We really need to know what type of training alternatives you would be proposing, if not supporting this. It just shows that the Liberal opposition in many cases has been very critical of things this government has been doing, very effective things, things that have been working. I know in my own riding I get very good responses from small business people on the Jobs Ontario Training program, because it's not costly, there isn't a lot of paperwork and it's specifically focused to their individual needs. Yet do we hear what the Liberal training platform is?

Like so many other issues, we don't know what their platform is, we don't know what the policies are, we don't know what their direction is other than some vague vision statement that yes, we need to have more effective training. That's great, we all want more effective training, but let's put something tangible on the table. This government has done that. During the worst recession since the 1930s and now into the recovery period, we've put together an actual training program—over 60,000 people have jobs—the most successful one in the history of this province.

Hon Irene Mathyssen (Minister without Portfolio in Culture, Tourism and Recreation): It's been a while

since I've had the opportunity to speak in the House, and it's a pleasure to address just a couple of comments. I would like to reiterate what my colleague the member for Oxford has indicated, and that is that 64,000 good-paying, permanent jobs have been created in Ontario because of Jobs Ontario Training.

One of the biggest problems in this province for years and years was the lack of response to the need for training. I used to teach in the secondary system in this province, and consistently, all through those years of teaching, the problem that I was hearing over and over again from the community was that we are not training our young people for the future, for the trades, for the technological jobs that we will need in order to continue to grow.

So Jobs Ontario Training, in the wake of a desperate recession that was brought on by Tory federal government free trade and Liberal federal government NAFTA policies, policies that literally cost 500,000 jobs in this province, had to respond. That's what Jobs Ontario Training does: It gives people technological skills that will take us into the 21st century with confidence.

When I hear the member talking about a bankrupt economic policy, I have to talk about my riding, where Jobs Ontario Training helped Liffey Custom Coating and helped Diamond Aircraft to train people so that the people in London, Ontario, will have space-age jobs, 21st-century jobs. In my riding, we saved 500 jobs at Tender Tootsies in Mount Brydges and Glencoe and we helped Conference Cup to expand to meet market needs. I'd like them to tell all these people we've helped that this is a failed—

The Deputy Speaker: Your time has expired. Questions and comments?

Mr Robert V. Callahan (Brampton South): The member opposite has whetted my appetite about Jobs Ontario. I have to tell you about a constituent who came into my office—

Hon Mrs Mathysen: A constituent.

Mr Callahan: Well, that constituent is as important as any of the others.

The Deputy Speaker: Please keep your comments on Ryerson.

Mr Callahan: Okay, on Ryerson, she spoke of the question of Ryerson in terms of the Jobs Ontario creation. I had a constituent come into my riding who had learned to be a master welder. He told me: "Mr Callahan, I was offered this job through Jobs Ontario. I went down to this firm, and they had me sweeping the floor." He said, "I was really concerned because I thought I was going to lose my skills as a master welder."

He stayed there for about eight months and then decided he had to leave the place because it just was not helping his ability to be a welder. I said to him: "What did this employer appear to have? What kind of products was he selling?" This fellow, who I consider to be a credible constituent of mine, said that there was nothing on the shelves at all. In fact, what he had done, I suggest, was to have accepted the opportunity of up to \$10,000 by way of contribution through Jobs Ontario.

I know this government was feverish about trying to boost the number of jobs that it could applaud and cry about, but in fact what it was doing in many cases perhaps was creating situations where employers—sure, you know, you offer them \$10,000, they'll take it. Some of them, not all of them but a few, had an opportunity to use Jobs Ontario in terms of being able to traffic in jobs of Ontario. You get \$10,000. I find it passing strange that in fact the situation would be put forward. The other thing was that they had to apply for welfare before they could get Jobs Ontario.

1750

Mr Crozier: It's interesting to note that the only comment they took out of the context of my remarks to speak about was Jobs Ontario, which leads me to believe that they don't deny they're taking these pension holidays contrary to the position they took when they were on this side of the Legislature.

I think the important thing here is that we're finally bringing to a conclusion another chapter in the pension adjustment, one that should have not taken this long, an initiative that was started by the Liberal government and has obviously taken them almost five years to complete.

When it comes to our jobs plan—

Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs): Why did you call the election earlier, then, after three years?

Mr Crozier: Thank you very much, because when it comes to our jobs plan—in response to the member across and this one as well—it's very simple: You want to see our jobs plan, you call an election.

Interjections.

The Deputy Speaker: Order. The member for Middlesex, the member for Port Arthur, order.

Further debate, the member for Don Mills.

Mr David Johnson: That's a hard act to follow, but I will say, now that we've got fighting between the other two parties—

Interjections.

Mr David Johnson: Mr Speaker, can you get a little order?

The Deputy Speaker: Order. I would ask the members from the government side to refrain from heckling. That applies to you, the member for Middlesex, the member for Port Arthur and the minister.

Mr David Johnson: Thank you, Mr Speaker. I'd like to say up front that you won't have to wait until the election to see the Progressive Conservative Party with regard to creating jobs. We have The Common Sense Revolution, it's been out for several months and it is a job creation plan.

I don't know how this debate got into Jobs Ontario and job creation, but since the topic has been raised by both of the other parties, I want the government to know and the people of Ontario to know that we are very serious about job creation and that we have a plan that involves attacking the very impediments to job creation in the province of Ontario.

It is not a plan that attempts, by artificial means, to buy jobs in the province of Ontario with taxpayers' money. You can't do that. There isn't enough money in kingdom come, there isn't enough money that this government can get its hands on, no matter how hard it tries, to buy all the jobs that are required in the province of Ontario.

If the member for Middlesex wants to know what is a good job creation plan, she's right, she won't get it from the Liberal Party. You'll have to wait till the election to get it from the Liberal Party. Maybe you'll get it then, I don't know, but I'll tell you what our plan is right now, today. The Common Sense Revolution plan is to cut the personal income tax by 30%. The Common Sense Revolution plan is—

The Deputy Speaker: I don't have to remind you that the bill is on the pension plan, Ryerson institute, and that's what we have to debate.

Mr David Johnson: Thank you, Mr Speaker, and I certainly will debate that because that's a very important issue, but you did allow latitude with regard to the other two parties in terms of their job creation plans, so just to quickly finish it off: Cut personal income tax, cut the employer health tax, cut the workers' compensation premiums—

The Deputy Speaker: I would ask you to debate the bill.

Mr David Johnson: All right, back to the bill. I too have the letter from Terence Grier, the president and vice-chancellor of Ryerson, with regard to this particular issue that's before us, the pension plan, and it is a most serious issue. The letter was addressed to Michael Harris, the leader of the Progressive Conservative Party in Ontario, and it's similar to the letter that was read out by the previous speaker.

I might say that the reason we're here today is because back before 1990, back in the 1980s, the Liberals, under the Treasurer, as I believe he was termed at that point, Robert Nixon, began the consolidation of the indexation plans and the basic pension plans for many public civil servants. Now, this was accomplished for several of the sectors, most notably for the teachers' superannuation fund, for example. Their two plans, their indexation plan and their basic plan, were combined together. It also happened for the public service pension plan. Again, the two plans, the one plan to fund the indexation of the pension plan and the other plan to fund the basic component of the pension plan, were combined together.

However, when Mr Nixon, back pre-1990, attempted to do this, he forgot, for some reason or another, or didn't get around to addressing the pension plan for the people at Ryerson. I don't know if this was an oversight or just exactly why this happened, but it didn't happen.

Consequently, this particular government back two years ago attempted to correct this situation. I don't know why it has taken two years to bring this to us tonight. The parliamentary assistant has indicated we wouldn't be here today if the Progressive Conservative Party back in 1984 had done something or other. I forget exactly what it was he said that we didn't do, but I can tell you, if the

Liberal government had correctly addressed this problem in 1988, I think it was, or if this government hadn't taken two years to deal with this problem from 1992, then we wouldn't be here tonight and this problem would be dealt with.

Now what we have is that the assets from the indexed plan are not available to the Ryerson plan, and consequently the Ryerson pension fund is in danger of slipping into a deficit situation. What will happen is that either operating funds will have to be used from Ryerson to pay for the shortfall or else an increased payment will have to be made by the members of the plan. Now the members of the plan got into the plan on a certain basis. They were given certain promises, certain rules were set out, and those rules and promises are in danger of being broken unless the plan is fixed as soon as possible.

In fairness to those in the Ryerson plan, to extend to them the same working arrangement that the teachers have received and that the public service has received, this is obviously a situation that needs to be supported this evening, and certainly I will be supporting it and the Progressive Conservative Party will be supporting it. It's something that should have been corrected over five years ago and it's something that again was addressed two years ago and should have been completed at that point in time.

During this debate other points have been raised with regard to pension plans and it certainly does raise one's suspicions about the way the government handles pension plans. I've looked at this and my party's looked at this and we think this needs to be done, and we support the government in this particular one and we support President Terence Grier in pushing this one through. But I must say that the track record of this particular government in terms of handling pensions is not one that's unblemished.

In particular, the teachers' pension plan was manipulated such that payments which should have been incurred in one particular year were carried over to another particular year. This was pointed out by the auditor of the province of Ontario, and I might say that during Progressive Conservative rule, which the member from Oxford has referred to, the auditor was prepared to sign the books. But for the first time ever, a year ago we had the prospect that the auditor would not sign the books for the province of Ontario.

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There were certain reasons, but I suspect that one of the problems on the mind of the auditor at that point in time was the fact that the payments for the pension fund were being shifted to another year. They were being shifted to another year to try to improve the operating balance of the province of Ontario. This was an artificial move to make the actual payments look better. That's one case in point where there is every room for suspicion in the way that this government handles pension schemes.

The second situation was raised by the member for Essex South when he indicated the "sweetheart deal" that arose between the government and OPSEU. OPSEU was very annoyed, and probably still remains annoyed, with this particular government because of the social contract.

OPSEU has always wanted to get its fingers on the pension plan. They wanted to have control of their pension plan. I suppose most unions would like to have control over their pension plan; that's probably only natural.

As a carrot, the government agreed to separate out OPSEU from the pension plan, separate it from the other members of the pension plan, including the Ontario Provincial Police, including a group called AMAPCEO, the Association of Management, Administrative and Professional Crown Employees of Ontario, which is composed of non-union members, and give the Ontario public service union its own pension plan.

That did, I'm sure, curry favour with the union, but it left the other members of the pension plan, in their estimation, shortchanged because, as I guess I indicated in my previous comments, the Ontario Provincial Police had a direct undertaking with this government that they would be consulted before any change was made to their pension plan, and they were not consulted.

Furthermore, according to the Ontario Provincial Police and according to AMAPCEO, the non-union members, they were not given the proper allocation of assets on their half of the pension plan; they were shortchanged. As a matter of fact, they were so enraged with the action that was taken that they initiated court action against the government because they felt that they were shortchanged.

What could be more important to the members—the OPP, the management members who have worked for the province of Ontario for years and years, decades in many cases, who depend on their pension plan in their latter years—than to have this government unilaterally, without their consent, put them into a new pension plan and diminish the assets, the assets that they count on to have payments made when they're eligible? That is the second case in point where this government has given reason for us to be somewhat suspicious of any moves with regard to pension plans.

However, there's \$21 million of assets involved, \$21 million in assets that rightly belong to the members of the Ryerson plan. That \$21 million is sitting out there in limbo right now. That \$21 million—\$21.7 million I think to be exact—is rightfully for the members of the Ryerson pension plan to avoid having to use operating funds or to avoid having to make the members make a higher contribution than they should be required to make.

Certainly we will support this bill tonight and have Bill 107 approved. I guess that will complete my portion of the debate on this bill, but I do want to say again that there has been some lack of credibility in the way that this government, other than in this particular bill, has dealt with pensions simply over the past year. We're not going back into ancient history. Over the past year there have been at least two instances where the government has dealt in a fashion that the auditor of the province of Ontario, for one, has not found satisfactory, and that worries me.

The Acting Speaker (Mr Noble Villeneuve): Questions or comments? Further debate?

Mr Callahan: Mr Speaker, I understand that my colleague from the third party would have the opportunity

to go first. I understand he has a pressing engagement and I'm content that that happen. But I would like to revert back, if that's possible.

The Acting Speaker: Oh, this is Bill 107, the Ryerson pension debate.

Mr Callahan: I've already spoken on that, so I'm not entitled to speak again.

The Acting Speaker: Further debate? The parliamentary assistant, the member for Oxford, would you like to wind up? It appears that there are no other participants.

Mr Sutherland: Sure. I appreciate the participants in the debate, the member for Essex South and the member for Don Mills.

Let me just repeat again that what we're doing here is rectifying a problem that wasn't addressed before. I understand I didn't address this in my opening remarks. One of the reasons it was not probably addressed at the same time as the teachers' plan was that because at that time it was Ryerson Polytechnical Institute and, actually, the government wasn't directly responsible for contributions into the pension plan in the same way it was for the teachers' pension plan, so there were some very specific issues that had to be negotiated with Ryerson regarding this agreement and how it would be worked out. That probably explains why it wasn't done at the same time as the teachers' pension plan.

I just want to respond to a couple of comments. The member for Essex South tried to compare this government to Conrad Black in its dealings with pensions. I'd just like to remind him that Conrad Black did not sit down and negotiate with anybody about what type of a pension holiday he was going to take out of the Dominion pension. It was decided arbitrarily that that was going to be the case, and of course this government has negotiated with the other parties responsible for the pension plan for whatever savings may have occurred.

We also heard a comment from the member for Don Mills about the auditor always signing the books of the Tories. I just want to remind him that if we were operating under the new accounting standards, of course, we know that all those years of allegedly balanced budgets and low deficits would not be the case; those deficit figures would have been much higher over those years.

I just wanted to make that point and I appreciate everyone's contribution to the debate.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

1810

CONCURRENCE IN SUPPLY

Resuming the adjourned debate on the motion for concurrence in supply for the following ministries and offices:

Ministry of the Solicitor General and Correctional Services

Ministry of Health

Ministry of Transportation

Ministry of Community and Social Services

Ministry of Northern Development and Mines
Management Board Secretariat
Ministry of Agriculture, Food and Rural Affairs
Ministry of Housing
Ministry of Environment and Energy
Ministry of Culture, Tourism and Recreation
Ministry of Economic Development and Trade
Ministry of Natural Resources.

Hon Mike Farnan (Minister of Transportation): I have read Hansard from this past Monday's debate and I'm very, very concerned about comments made by the member for York Mills. As usual, he seems to reflect back to the good old 1950s and obviously remembers those days very fondly.

He is on record as saying his party would "restore the tendering process that the Conservative government put in place in this province in 1952." Let me remind the member that under the 1952 Conservative method, Highway 407 would have cost taxpayers an additional \$300 million, taken 22 years longer to complete, stifled engineering innovation, eliminated any possible economies of scale and cost the workers of Ontario 20,000 jobs over the next three years. While the Conservatives want to take us back in time, I think they should remember that the rest of the world is moving forward.

Using our method of constructing Highway 407, we will create 20,000 jobs now, when they are most needed, save the taxpayers \$300 million, encourage private sector partnerships and encourage innovation and competition. We will build a much-needed highway 22 years faster. Lastly, but most importantly, we will help Ontario's design and construction industry catch up with the rest of the world to build large-scale products like Highway 407 in an innovative and effective manner.

This international model is used everywhere—in Germany, the USA and many other parts of the world. By allowing partnerships with the private sector and changing the way we build highways, we are positioning our industries to be the world leaders and at the same time we are getting the job done faster and we are saving the taxpayers a lot of money. I cannot understand why the member for York Mills insists that sending Ontario back in time by 40 years can be a good thing, but maybe that's the Conservative way.

Another point that the member for York Mills continued to hammer away at is, did we get the lowest bid? The simple answer is yes, we got the best bid for the taxpayers' money. But the member must respect that we are not simply asking for a pavement contract. We requested proposals that called for design options, construction options and operating plans. It is not the simplistic, archaic method that the Tories promote; it is a process that encourages partnership, encourages innovation, encourages competition and encourages efficiency.

The Tories want it both ways. They released their ridiculous Common Sense document that says they will cut, slash, burn and eliminate everything but health care. But then they go around and tell people, "We won't cut in your backyard," or they tell farmers they will not cut

transfer payments to agriculture or they say they won't cut transfers to municipalities. When there are people speaking directly to sectors and stakeholders, when they're talking to farmers they say, "No, we won't cut," and when they're talking to municipalities, they say "No, we won't cut." But in The Common Sense Revolution they say they will indeed cut. This is duplicity that will not be accepted by the people of Ontario and will be very clearly exposed. Their math simply just doesn't add up, as usual.

They want to enjoy the 1990s, but they play under the rules that have long been outdated in the rest of the world.

Mr Robert V. Callahan (Brampton South): They had 42 years to learn them.

Hon Mr Farnan: I can tell you, and I can tell the member, that the Tory days were not that glorious. We saw deficits, we saw spiralling health care costs and we saw a sporadic method of building Ontario's infrastructure. The NDP government's approach uses effective management, controlled spending, better planning and an infrastructure program that makes sense by helping the environment and creating jobs, and that makes Ontario an attractive place to do business.

Let's remember, it was this government, the government of Bob Rae, that first recognized the value of an infrastructure program to create jobs. The federal government was dragged to the table kicking and screaming after it saw it was working. And let's not forget the provincial Liberals were extremely critical of infrastructure spending to combat the recession until their federal cousins swallowed their pride and admitted that indeed the Bob Rae approach was the right approach.

The Tories of course don't believe that good roads, sewers, water treatment plants and safe bridges have anything to do with economic prosperity. They simply say, "Tax cuts will create jobs." They don't think companies need roads to get their goods to market. They don't believe that a strong infrastructure is just as important as tax rates and skilled labour.

But tax cuts don't build bridges. Tax cuts don't guarantee Ontarians safe drinking water. Tax cuts won't maintain our high level of health care regardless of what Mike Harris says or how many times he says it. He says he will maintain spending on health care, but he doesn't consider the impact on the health care system of our preventive programs, of our support for people living on low incomes. Mike Harris doesn't see a correlation between people being able to feed themselves and health care. He doesn't see that the support for children in their home prevents malnutrition and eventual hospitalization. The consequences of his cuts are simply not factored in to his nonsense revolution.

I might add that his approach would indeed help in achieving the goal of the member for York Mills setting Ontario back 40 years. In fact, it would exceed his goal by many, many more years and probably take us back to the 1850s.

Interjections.

Hon Mr Farnan: Clearly, the message is having an

impact on the two members of the third party who are present in the House to hear this point, but nothing could be further from—

Interjections.

Hon Mr Farnan: Another point I want to clarify for the record is with regard to the member's accusations that the winning consortium was chosen because of a labour agreement. Nothing could be further from the truth. I want to state clearly and for the record that the government does not, and did not, participate in the labour negotiations of either of the consortia.

The rules on this are very clear. We do require that a fair wage policy be used. We do require that the employer abide by the existing labour laws, but for the member to criticize, because the employer and the union negotiated in good faith an agreement that was mutually satisfying to both of them, is totally ridiculous.

The member also raised a topic of reduced concrete mixtures and life-cycle analysis of the pavement. Again, let me make it clear for the member, Ontario has construction standards. The ministry will ensure that these standards are met, and to imply that the builder would use lesser standards is both misleading and insulting.

On the second point regarding the life-cycle analysis, I ask the member: Would he buy a car or a house or a shirt based solely on price or would he look at the quality and determine how long it will last you? Does value for money mean anything to the member? Of course we use life-cycle analysis as one part of our criteria, but only as one part. To not use it at all would be foolish and irresponsible.

Another area that I must raise is the member's insistence on using phrases such as, "I have been told," or "I have heard allegations." I must ask the member if he approves of rumourmongering. Allegations are just that: allegations. Insinuation is just that: insinuation. If the member has actual information that he is truly concerned about, he should share it with me, he should share it with the House, he should share it with the public and together we can find answers. But what we have is the lowest-basis approach to politics. It is absolutely crass. It is based on allegation and insinuation and I believe the member should be indeed ashamed.

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To imply that the deal was not aboveboard is wrong. All possible safeguards were put in place before the requests for proposals were sent out. Price Waterhouse oversaw the whole process and reported back that everything was followed. They have certified that claim in writing and the member who makes these allegations and insinuations knows that.

The team of deputies responsible did a fine job. They did a fine job because they are professionals. But we have a member of the House insulting the bureaucracy, and this is a very cheap political shot for selfish purposes because the bureaucrats don't have the opportunity to answer to him. So he gets up here, immune from response, and makes any kind of allegation and insinuation. This indeed, I am sure, will be evaluated by the good people of York Mills when they look at their

member who, in his very pompous arrogance, makes these kinds of accusations. The public, I believe, are not prepared to accept that kind of cheap politicking.

In closing, I want to say that this government can be proud of Highway 407. We can be proud of the fact that we moved Ontario forward from the 1952 rut that the Conservatives would keep us in and brought it into the 1990s with the rest of the world. We did it. The Bob Rae government did it. The NDP government did it. We did it and the Tories and the Liberals are jealous. It's very, very simple; and, might I add, they have a right to be jealous. We have done so much in this term.

The Acting Speaker (Mr Noble Villeneuve): Questions or comments, the honourable member for Brampton South.

Mr Callahan: I have to say that the member opposite—

The Acting Speaker: Sorry, I've just been advised by the Clerk that on time allocation we do not have questions or comments. I apologize to my colleagues. Further debate, the member for Simcoe East.

Mr Callahan: Sorry, Mr Speaker, I believe we have unanimous consent that I am allowing the member from Simcoe to speak first—he has an important engagement—but that the rotation will come back to our party, the official opposition.

The Acting Speaker: Do we have agreement? Agreed.

Mr Allan K. McLean (Simcoe East): I thank my colleague from Brampton for allowing me to proceed.

I want to comment briefly with regard to the debate on concurrence in supply. There are several ministries that we're dealing with here. I wanted to try to make some remarks with regard to them as they are in order here.

The Solicitor General's ministry is the first one that I would like to deal with. It was mentioned today about the RIDE program in this province of Ontario. I think it's been one of the best programs that the OPP and many other police organizations have put on in order to stop and to control drunk driving.

As I've said before, there's one area of concern that a lot of people are not aware of. The fact is that if you're picked up once and lose your licence, your insurance rates increase dramatically. Not only that, but you lose the use of your vehicle for a certain period of time. It's tough on your family. There are a lot of repercussions that happen when you drink and drive. I just want to say, as I mentioned earlier on today, it could cost up to \$20,000 by the time you lose your licence and increase your insurance and pay your fines.

I think the program is working and I would urge the government to continue on with the funding of that program as they have in the past. I know that the police are preventing a lot of accidents on our highways. It costs the health care system some \$100 million annually for drinking and driving. As I said before, there are about 12,000 hospital admissions; about 568 people die in alcohol-related motor vehicle accidents; there are 31,000 O-class drivers charged with impaired driving in Ontario. Any way we can cut that down, I think, is a step in the

right direction and I think the RIDE program has worked well.

The money that the government is putting into the new headquarters in the city of Orillia to have all the units in one facility I think has been a plus for the city of Orillia. It's been a great thing to see the different sections amalgamated and I think that, in the long run, it will cut down on the cost of policing.

We look at the costs of studies that are being done at the request of some municipalities. Some municipalities like the OPP to come in and do a cost study to determine whether their town police or city police are on budget or if it's within budget. I know of some cases: The town of Tecumseth amalgamated the OPP with the town police and it has been to their benefit. I know that the city of Orillia has had a study done and that study has not been released yet, but it certainly concerns me when we get the OPP in looking at studying a city's police force.

There can be so many complications around all of that, I'm not so sure, and I would hate to see the OPP taking over city police. I don't think it's probably appropriate, although I think when the cost analysis is all done in the end that it will probably determine that the city police are probably doing well.

When the Ministry of the Solicitor General's office is looking at these things across the province—and I've talked to Gordie Hampson on it, who is in charge of that program—I believe the studies they have done have worked in many cases, but there are some forces that could be amalgamated that are not in large cities. I personally don't think the city of Orillia should come under the jurisdiction of the OPP. I think the city force there has done a good job and I think it's cost-efficient which I'm sure the study will determine it is.

I'd like to speak briefly with regard to the Correctional Services ministry. The minister and I have had an ongoing debate with regard to Camp Hillisdale, the closure that took place there, a facility that accommodated about 72 residents from the Barrie Jail, which was a minimum-security facility. At this facility they had cattle, they grew vegetable gardens, they had turkeys, they had chickens for eggs. It was in the report of the institutions' panel from the corrections ministry that indicated it was one of the most efficient operations in Ontario; one of the most efficient out of the 51 that they have.

There were a lot of people who were disturbed when that facility was announced to be closed. The inmates there did community work: They did work at the hospital—flower-beds, horticulture—they did work in many communities. Even the Ministry of Natural Resources sent a letter indicating that what they had done with regard to tree cutting in the Bass Lake area was really a plus.

When you see this type of facility being closed down, where the inmates are out—in a facility like that I believe is where they're being rehabilitated. I don't think you rehabilitate people behind bars. When you have them for minor offences, I do believe that the facility they had there, out of the 51, the lowest one in Ontario, should not have been closed. As a matter of fact, the committee has met as of November 7. They have brought in a report that

recommends to the minister that the facility should be looked at again. It was learned that the recent closure of Camp Hillisdale has only added to the burden at the Barrie Jail, a facility which can only be described as obsolete; that's the Barrie Jail.

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The panel really questions the reasons behind the Camp Hillisdale decision, not only because of the extra burden passed on to the jail but the function which Camp Hillisdale provided, both from the rehabilitation aspect and the economic benefit which was derived.

Decisions such as this within the ministry, which was made by one individual to me, are not acceptable. I believe it came to cabinet on July 6. There was a news announcement made on July 7 that the facility was closing, a facility that we should be expanding within the Ministry of Correctional Services and not closing down.

So I do hope, as in the question I asked this week with regard to it, that the minister will have an opportunity to have another look at that, because I believe the decision to close was a mistake and I would hope the ministry and the cabinet would perhaps have a second look to determine what mistake was made there.

Just this Wednesday I got a letter from an individual in which he said he was deeply offended by Mr Christopherson's remarks "since, as the former assistant manager of Camp Hillisdale, a major portion of my time was spent in the implementation and monitoring of control and security practices, including all inmate movement. At no time was I ever questioned or criticized in regard to security until the Solicitor General made these ridiculous, unsubstantiated comments."

I guess the comments were that when the closure of Camp Hillisdale was first announced, "...the Ministry of Correctional Services stated that this was simply a 'cost-saving measure' which would save the government \$1.1 million. The ministry's figures were immediately shown to be false by Simcoe East MPP Al McLean and Simcoe county warden, Robert Drury.

"I am now left with the impression that the Solicitor General is making another attempt to try and justify the closure of Camp Hillisdale by impugning the integrity of the former Camp Hillisdale staff. Wrong again, Dave!

"Of course Camp Hillisdale was 'an absolute minimum-security facility. I mean, there were no fences, there was nothing at all.' What a revelation. Does the Solicitor General understand that if a fence had been erected around the facility, its security classification would have been changed to medium security?"

He says, "Are there fences around Burtch Correctional Centre or Monteith Correctional Centre, which were the other institutions that were designated to accept Simcoe county inmates?" He thinks not.

He goes on in his letter and he certainly has some criticism of the minister because of how he proclaimed and looked at Camp Hillisdale: "...the staff of Camp Hillisdale worked hard to make it 'a model of efficiency'.... Camp Hillisdale did have its share of problems since we are not always dealing with the paragons of society. However, I would be quite prepared to compare our

security/safety record with any other minimum security...."

I want to put those remarks on the record with regard to Camp Hillsdale when we're talking about your budgetary policies and we're talking about the concurrences within the Ministry of Correctional Services.

I believe the panel's decision is right. I believe the panel that looked at this indicated that the reopening would be feasible. The bottom line is that the other day, as the Treasurer was saying to me, "Spend, spend, spend," when you've got a facility of the lowest cost in the province of \$51 and you close it down, that's talking about spending money? I'll tell you, if you close the one at the top down, some of them cost \$130 a day per inmate. This one was less than \$80 a day. It doesn't take long to make up the difference when you close the one at the bottom and leave the ones at the top open.

Not only that, but the Attorney General, in the paper not long ago, was talking about the overcrowding in the jails. I talked to the assistant superintendent at the Barrie Jail the other day and they indicate to me that they just let people go. They can't keep them in there because they're overcrowded. There are several of them in a cell.

I wanted to put those on the table so that the minister knows where we come from.

I want to move on to the estimates in the Ministry of Health. I want to say that on Bill 173, which is now final, we're still getting petitions and still getting letters. We get petitions and letters for it; we get petitions and letters against it. I just hope that in the end this will work out, because it's a major step. A lot of people feel perhaps the seniors will not be well looked after, but I guess the bottom line that a lot of people are telling me is that if you're in the union you're fine, and if you're not, you may be without a job or you'll have to join the union.

The Barrie regional hospital has been a facility that has gone on for many years, and I'm glad to see that they've got the shovel in the ground and that the regional hospital in Barrie will be proceeding. I would hope that some time in the future it will be a regional hospital for that whole area so that people will not have to come to Toronto for cancer treatment, that Barrie regional hospital will be able to do that; not only that, but for the expansion of the dialysis that people need now.

In the Midland-Penetang area, the two hospitals there are amalgamating on their own. They have taken the direction from the Plummer Memorial and the McKellar hospitals in the north where they have amalgamated. There are savings to be made within health care and a lot of our administrators are looking at it and doing it. I think there are savings there and our people in the field are certainly the ones that I see are committed to health care.

I had the opportunity some time ago to travel northern Ontario and that was one of the major issues that we got from people in the north. The major issue was the emergencies, doctors being on call—you may get one call in an evening or you are on call and you don't get any—and the payment of the physicians in the north. They tell me that in some of the hospitals the specialists who were

once there are not there any longer and they will have a tough time to get another specialist.

The people in the north—and I can talk about the people in Atikokan, Fort Frances, Kenora, in that area—relate more to Winnipeg than they relate to the rest of Ontario. They do their shopping, they do their banking there. The people in Red Lake were telling me that they go to Thunder Bay hardly at all; they all go to Winnipeg. When you get in the north, dealing with people in the north, you certainly get a different perspective of what's taking place here in Ontario, and health care is the number one priority that's on their mind. Number two is the problem with the distances.

Many of the people tell us that an 80-kilometre speed limit is too low. They indicate that 90 would be more appropriate for the long distances that you travel in the north. When I was travelling, many of them were doing well over the speed limit on straight stretches of highway that had hardly any traffic at all. So I see their point and I agree with them because I know that when we look at the photo-radar that's now in place, I don't think there are any members from the north who are going to stop photo-radar from being up there. I have that feeling.

The photo health cards: I haven't seen movement from the ministry with regard to providing these. I've often wondered what the holdup is. I think they would be a way that the government could save some money.

Transportation and radar has been one of the issues that has affected people and I want to say that I had an occasion the other day when an individual was questioning me about photo-radar. They were very unhappy about it and wanted to know if we were going to withdraw the bill. I said: "Well, you know, it's something that has surprised me, really. When I see how the traffic has slowed down on our major highways, it gives me some concern to perhaps reconsider what we have said in the past." I think the reason that a lot of people were against it was because of the fact of people's rights. Taking photos when you're not knowing it—

Mr Gordon Mills (Durham East): Never taken my photograph.

Mr McLean: Mr Mills says that he has never been photoed yet. I think he's lucky if he hasn't, because he lives in Durham. But I do believe there are people's rights and there still are problems with photo-radar. I certainly wouldn't change it unless—the bottom line is, is it going to save lives? I guess that's the question that needs to be asked and that's what we want to look at when we get into looking at some jurisdictional accounts that have been kept.

On the licences that are being renewed for seven years, the government is taking in a pile of money. I had a young lady not long ago who wanted to renew her licence and they told her she had to renew it for seven years. At \$10 a year, that was \$70. That seemed to be a lot of money to her and she wasn't very happy with that. Her dad had written me a letter indicating that really what the government is trying to do is to get all the cash that it can get to make its deficit look as little as it can get it. However, I think that will be a real problem.

Briefly on Community and Social Services, I read in the Hansard that the minister says he is in no way in agreement with workfare. It wasn't very many days ago that the Premier of New Brunswick brought in a program and part of that program is workfare. My leader, Mike Harris, is talking about the very same issue: workfare. The Common Sense Revolution spells it out very clearly, how we want to revive and to bring Comsoc back into place, whereby able-bodied people who are able to work will either take some education, take some workfare courses and be put back to work.

1840

Northern Development and Mines: When we were on the northern tour, we had the opportunity to tour a gold mine in Red Lake and to talk to the workers in that community. The taxation that the government has on mining is substantial and they told me that the smaller mines and the people who are trying to get mines open are where the major problem is. So when we look at the mining aspect, there are problems there and I do hope that they will be looked at.

Agriculture, Food and Rural Affairs: Mr Speaker, your favourite ministry. There's quite a debate here with regard to Bill 91. Yesterday the minister said that nobody had unionized in the agricultural industry yet. I'm not so sure that I would take that at face value, because I feel that there are some who have started to organize in the seed industry and in the agricultural industry.

Mr Speaker, ethanol, something that you have been pushing for for years, is something that this government has come forward and taken the tax off of. We agree with that, because I think ethanol is the future. It's good for the environment. But the problem we have with getting a plant in Chatham and getting it proceeding is that the federal government will not make its commitment. That's where the problem is. If they would commit to reducing their taxes, then we would be able to proceed and expand our ethanol plants here in Ontario. I think that's something that will help farmers, it will help the agricultural industry and it will also help the environment.

Briefly, on Housing, I had the occasion to speak this morning with regard to a bill from Mr Henderson, the member for Etobicoke-Humber. We supported that bill because it was An Act to protect certain rent-g geared-to-income Tenants in publicly funded rental units. That bill was aimed at senior citizens. People over 65 would be able to have their rents not increase any more than what their salary or their income is increasing. I think that bill was good.

I think in our program with regard to subsidizing people we talk about \$114 helping people out, which is what it would average per household for a shelter allowance, compared to the current average of nearly \$1,000 a month to subsidize a household in non-profit housing. It's quite a difference.

But it was interesting; it wasn't long ago that my friend down here, Mr Curling, a former Liberal Housing minister, in committee said there is a glut of housing on the market and that subsidizing the individual is a much more human way to help an individual to live where he or she wants to live. I agree with him. I think that's

exactly what we are saying in The Common Sense Revolution. By spending money on people instead of bricks and mortar, we could end the public housing boondoggle we're in that profits only the large property developers and we can return to a shelter subsidy program for all Ontarians who need help in finding decent, affordable housing. I'm glad to see that the Liberals are coming on side with us on that housing program and thereby saving the people of this province a lot of money. So we thank you, Mr Curling, for your position on that.

The Ministry of Environment and Energy: I wanted to speak briefly on that. There have been some concerns, and it was last March, in a little place called Hillsdale where they were wanting to draw water in a major way for bottling. At that time, the Minister of Environment—and I checked that letter today—indicated that there would be no approval given unless the municipality had approved, and they would be able to proceed. However, they didn't get the approval from the municipality and there was no application to draw water.

Today I sent a letter to the Minister of Environment. He wasn't in the House. I wanted to hand-deliver it to him, but I sent it to his office, and I said:

"I'm writing to you today about a matter of great concern to the more than 200 Oro-Medonte township residents who attended a meeting last night related to the extraction of water in their municipality.

"It is my understanding that your ministry granted approval for Golden Springs Water to extract approximately 909 litres per minute, or 192,000 gallons per day, from the ground to be sold commercially until the year 2005. My constituents and I would like to know under what circumstances was the permit granted, what criteria were used and what regulations or restrictions must Golden Springs follow during the extraction of this precious natural resource."

It's a great amount of water. The permit was issued from the district office in Sudbury, and the residents, some 200 who attended that meeting last night, certainly want to know what will happen with their area that they live in and are involved in. The drawing of water is something there's really no legislation for, but I think the Ministry of Environment should be thinking very seriously about doing that.

Tourism, snowmobile trails, northern focus: It's all part of what we need in Ontario, an emphasis on tourism. Tourism has been, in my estimation, a forgotten part of the government, though the snowmobile trails, with some \$14 million of expansion and infusion of money—and not only that, but the snowmobiles have more than doubled in two years.

The Economic Development ministry, with regard to railway lines in this province, certainly gives some concern about what Bill 40 is all about. The minister has indicated very clearly that it's not Bill 40 that's the problem, that the unions are willing to negotiate one single contract. We have not seen that happen yet, although I understand that the Exeter line is now unionized with one contract. I say that CN is putting a great pressure on this province with regard to the railway lines it is closing and I think the ministry and the Economic Development

ministry have got to have a greater emphasis with regard to the railway lines.

The Ministry of Natural Resources' taxes on land and with regard to some of their policies has not kept many conservation officers very happy. There have been a great number of people within the ministry who are so unhappy with regard to the conservation.

What we need in this province is crime control and not so much gun control, and I would predict that the federal government in the end will probably say that rifles and shotguns will not be part of its bill that it is anticipating bringing in some time next year. I'll put that on the record and see how far out I am on that.

The northern focus will soon be out in print. It's something I'm looking forward to seeing because of the input that we had into it. I think it's important that the people in southern Ontario realize what's happening in the north, and I enjoyed my time in the north talking to people, because there is a different perspective coming out of that part of Ontario. At one time, when a new government was elected, it had a plane and took the people to the north to let them know there is northern Ontario. Moosonee is halfway across Ontario. It is a big province.

I wanted to put some of the concerns that I had with regard to the concurrences in supply that we're dealing with, because it's so important that the economy will pick up. It's picking up despite this administration.

Interjections: Oh, oh.

Mr McLean: It really is. It's picking up despite this administration. And I'll tell you, when we get dealing with the rural economic development, when we get dealing with The Common Sense Revolution, when we get dealing with the crime control book, when we get dealing with the health policies of what we want to bring in, I say to you, Mr Speaker, the province will be in good hands once again.

1850

The Acting Speaker: Further debate on concurrence.

Mr Callahan: Mr Speaker, I want to thank you very much for the opportunity to speak in this debate. It's always a pleasure. I hope it's prime time because I hope people will be listening, because the things we've all said—

Mr Jim Wiseman (Durham West): —watch the Polka Dot Door.

Mr Callahan: We've got a few jokers in the audience, I think.

Let me start off by saying this is a time when we have an opportunity to speak—probably the only time we get to speak—for our constituents. I think you'd agree with that, Mr Speaker, having been around here for a long time.

I did a cable show last night for a group called Fair Share for Peel Task Force, and before I get the hoots and hollers from the government, let me tell you who supports this, because I think it's very important.

They're supported by the Big Brothers of Peel Region and Big Sisters of Peel, very worthy causes; Boys and

Girls Clubs of Peel; Brampton Neighbourhood Resource Centre; Brampton Caledon Community Living; Caledon Parent-Child Centre; Caledon Information Centre; Canadian Mental Health Association, Peel; Catholic Family Services of Peel-Dufferin; Charlestown Residential School; Child Poverty Action Group of Peel; Church of St Hilary's, Mississauga; Community Living, Mississauga; Council for Adolescent Suicide Prevention; Credit Valley Hospital; Distress Line of Peel; Dixie-Bloor Neighbourhood Centre; Dufferin-Peel Roman Catholic Separate School Board; Elizabeth Fry Society of Peel, a real favourite of mine; Erinoak; Family Education Centre; Family Services of Peel; Fieldgate Nursery and Child Care Centre; Homestead Mississauga Independent Living Centres; Hospice of Peel; John Howard Society of Peel; Malton Neighbourhood Services; Mississauga Community Legal Services; Nexus Youth Services; Ontario Family Guidance Centre Inc; Options, Mississauga; Our Place, Peel; Parents for Quality Education in Peel; Peel Alternative Lifestyles; Peel Children's Aid Society; Peel Children's Centre; Peel collaborative child and adolescent sexual abuse treatment program; Peel Board of Education; Peel Educators Association; Peel Memorial Hospital; Peel Multicultural Council.

Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs): We get the drift. Can't you prepare a speech?

Mr Callahan: If the Minister of Mines is impatient, he can go home now.

Peel Regional Police; Rapport Youth and Family Counselling; regional municipality of Peel; Salvation Army Family Life Resource Centre; Social Planning Council of Peel; St Hilary's Day Care Centre; the Mississauga Hospital; the YMCA, Mississauga; United Achievers; United Way of Peel Region; and supported, I might add, by all the representatives, all the MPPs in Peel, of both parties. This is not a partisan issue. Unfortunately, there's not a member of the New Democratic Party representing Peel, and we applaud that. That may be the cause of our whole problem.

I speak on behalf of a group that is supported by almost every worthy cause within the Peel region. I've read to you all sorts. The Minister of Mines objected to that. He felt that was inappropriate; we should just cut it short. Well, the people in my community, Minister, don't believe in that. They believe we have spoken since 1990—

Mr Randy R. Hope (Chatham-Kent): Before.

Mr Callahan: No, no. No, no.

Mr Hope: Get the facts straight.

Mr Callahan: No, no, no.

Mr Hope: When you were the government, they did the same thing.

Interjection.

The Acting Speaker: Order.

Mr Callahan: No, I regret to say that it was—

Hon Mr Pouliot: Greed got you.

Mr Callahan: All I can tell you is that last night I did

a cable program in which I did not have the time to read all those out, but since we've got free time telecast here and I'm told I can speak forever, subject to getting the hook from whomever tries to give me the hook—I couldn't mention all those people, but I'm going to mention them because they're very good people. They are the backbone of our community. They represent every possible group that exists in our community that does good things for people. I find it objectionable that the Minister of Mines would feel it was too much time to read these out. I think it's very important.

Perhaps that tells us how important the present NDP government considers it to speak on behalf of groups like Homestead Mississauga Independent Living Centres, Hospice of Peel. They deal with AIDS patients. We're all wearing—

Hon Mr Pouliot: Where's your ribbon?

Mr Callahan: Or I was; it's gone someplace, but we were wearing a red ribbon and today was an important day for AIDS in this province. Yet the Minister of Mines has the audacity to say, "Don't mention their name." I find that incredible. When we talk about groups like the John Howard Society of Peel, we talk about the Elizabeth Fry Society, we talk about some of these other groups, all these good groups, Canadian Mental Health Association, Peel, I find that offensive, that this government does not feel sufficient concern for what I always thought the NDP policy believed in: people, caring about people.

Let me tell you the facts about this. The task force was started in 1990. It has tried constantly—constantly—to try and get the Minister of Community and Social Services to give Peel its fair share.

Mr Hope: What's that equal to?

Mr Callahan: Well, I'll tell you right now, we get about a quarter of what Metro Toronto gets. We get one half of what the province of Ontario gets.

Mr Hope: Do you know what we get?

Mr Callahan: The member from wherever, Randy, says, "What do we get?" He's a government member. I'm sorry. If you can't get your government, like Mr Mammoliti, who I watched tonight saying, "I fought my government to get all these things I got"—he's an effective member. If you're not getting it, that's your problem. But I'm speaking on behalf of my constituency. I'm speaking for my people, the people who elected me, the people who live in my community.

It's unfortunate that for some reason, once you become a member of the government, unless you're a radical like Mr Mammoliti, of York Mills or whatever, you don't get any say in what happens to the people in your community. I find that really offensive. If I were watching this program, I would say to myself: "I'm paying those people good bucks. I elected them for five years in a secure job, and are they doing the job for me? Are they looking after the mentally disabled? Are they looking at the young people who are physically challenged?" I suggest they're not.

I got diverted, Mr Speaker, but I get very passionate when I speak about this, because we have talked to the Minister of Community and Social Services—not just Mr

Silipo, but they talked to the previous minister—and, you know, the interesting thing about it is, and maybe this is a hallmark of the New Democratic Party society's new attitude, they listened to my people. They listened to the executive director of the children's aid society from my community. They listened to a whole host of other people who were involved with the task force, and they said: "You know, we agree with you. You're not getting your fair share." There were smiles. These people went away on at least five or six occasions, I guess, and thought, "Well, we're going to get it." Well, they didn't, and the tragedy is—

Mr Wiseman: The tragedy is that you could have done it when you were getting \$4 billion more—

The Acting Speaker: Order, please. Please, the member has the floor legitimately. Other members can stand in their place and be recognized when this member is done. The member for Brampton South.

Mr Callahan: Let me answer that comment. John Sweeney, who was one of the finest parliamentarians who has ever been in this House, a man of great integrity—in fact, when he was in the House, ministers of the opposition, and I think if they were being honest they would say it, couldn't even question John because he was such an honest guy.

1900

John Sweeney brought in the whole program of dealing with the poor. He got the support of our party for it. We started it. It wasn't started by the Tories with their 42 years of "Let the poor pay" and it wasn't a time for "Let the rich pay," which the NDP said they were going to do, which they haven't. But I say to you that I have to defend John Sweeney because John Sweeney, as any member in this House who would speak honestly and who knew him would know, was a man of great integrity and still is. He's involved with a program now where they build homes for people who can't afford their homes, kind of like the barn-building process. I can't remember the name of it.

Mr Wiseman: Not like your counterparts from Ottawa. If you have—

The Acting Speaker: Order, please. The member for Durham West, please come to order.

Mr Callahan: The member for Durham West is still smarting from the fact that he's got a garbage dump in his riding and he can't get rid of it and he can't convince his colleagues that it should be gotten rid of. He's tried to deal with the Minister of Environment and Energy and he tells him to take a hike. So you're an ineffective member, let me tell you.

You should take a lesson from George Mammoliti. George Mammoliti is fighting for his constituents.

In any event, let me go on by saying—

Mr George Mammoliti (Yorkview): Thanks, Bob.

Mr Callahan: I'll give you some examples and I'll give some examples for the people of Peel who are watching this program, hopefully. If I had opened my cable program last night by saying to the people of Peel, "I'm going to increase your taxes by 50%," you can bet your bottom dollar that the telephones would have lit up

like Christmas, because I don't think they quite understand yet, and I'm trying to tell them what's happening with their tax dollar, that they're not getting their fair share. I'll just give you an example.

This was all done and, as I say, the minister met with these good people from the Peel task force and he agreed—he agreed—“You're not getting your fair share.” I'll give you an example. In Peel, the population or the per capita rate for services to people with developmental challenges is \$32.80, while in Ontario it's \$63.67. I went into law because I'm not a mathematical wizard, but that tells me it's about half, okay? Those are for people who can't help themselves, people the NDP espoused they would help. Well, you're not helping them, or at least your minister's not. He's saying: “We think you're right. You're getting shafted, Peel, but we don't care.”

Let me talk about Peel children. You know, child care is based on a very low expenditure in terms of the moneys they get—fair share. I have to comment that we have one of the largest communities in probably North America. We are growing. Not only that, but we are a highly multicultural community which causes more cost because you need to have interpreters, you need to understand the cultural differences of people and even that has not been recognized.

Children's services—for God's sake, there can't be anything less partisan than children. I would fall over, quite frankly, I would sit down—maybe some people would applaud that—if people could not be in accord with children's services. Let me give you an example.

In Peel, a child receives services in the amount of \$96.52 per capita, while the Ontario per capita expenditure is \$261.68. I think anyone watching or anybody over there who's listening, you have to understand we're not getting our fair share. You know what we've got? We've got kids who are lined up, kids who need immediate help who are told that there is no help, “You've got to wait in line.” Well, I've spent 30 years in the courts with kids and I can tell you that if you don't deal with them immediately, you've lost them.

Maybe the government doesn't care about that. I hope that's not the case. I know a lot of people over on the government side and I think they're caring people. I can't believe that they would put up with this, that they would allow children to suffer their lack of fair share.

I could go on with this. I noticed today in question period and I noticed on the television last night that the Attorney General has got a big budget for talking about wife abuse, child abuse, and I endorse that, as did my colleague in his question—

Mr Drummond White (Durham Centre): Not again. Not a Liberal.

Mr Callahan: Mr Drummond whatever-his-name-is has a comment to say about that, but I happen to believe that's money well spent. The point is, if you don't spend it at the entry level, if you're not prepared to give a community the size of my community of Peel, of my colleagues' community on the Conservative as well as Liberal side, its fair share, if you put kids on waiting lists, what can you expect? All the advertising in the

world will not help these kids. You've got to get to them when the problem's there.

I thought the NDP was sensitive to that, but apparently they're not. There's something about the seats on that side of the House. Once you get the smell of—

Mr Wiseman: Maybe you ought to tell your federal counterparts to uncap.

Mr Callahan: Well, here we're hearing from the dump again—

Mr Wiseman: Uncap.

The Acting Speaker: Order, please.

Mr Callahan: You're still smarting about the fact that you can't get the dump out of your riding, and it's because you've got no effect in your government. You have no effect in your government and you'll be long gone.

To get back to what I'm saying, if we don't deal with those kids effectively now, all the advertisements in the world won't mean anything. The Attorney General of this government, the next government, the government after that can spend all sorts of money and all they're doing is padding the advertising people. What you've done is you've taken these kids and you've denied them the opportunity to have the benefits of intervention at an early stage, which is the most important thing.

I talked to the executive director of my children's aid society and he endorsed that; I talked to educators in my community and they say that, and yet we don't see any movement on it. We see the Minister of Community and Social Services, Mr Silipo, who's a fine gentleman. Apparently he has no weight in cabinet, because when he says to my community, “You're right, you're not getting your fair share,” and then has done nothing about it since 1990, I have to say to myself that man's a lightweight in cabinet, with all due respect to him.

I'm speaking on behalf of Peel region, which pays taxes equivalent to those of Metropolitan Toronto.

Mr Bob Mackenzie (Hamilton East): Talk about arrogance.

Mr Callahan: The former Minister of Labour, who's now on a vacation and probably on a healthy pension, has the arrogance to speak up when I'm talking about children. That shows the arrogance of this government. That shows why, when I walk around my community, I hear people saying: “God, we've got to have an election. When can we have an election? When can we get rid of those people?”

I don't say that. What I say to you is that there's something about getting over in those seats, and the chauffeur-driven limousines even though we've got a deficit, which suddenly gives them swelled heads, of whatever party. I'm not being partisan. Unfortunately, those seats are seats that perhaps should be occupied by humble people, people who care about their constituents, people who got elected to this place and after the election didn't say: “Well, I'm elected now, I've got five years because it's a majority government and it's better than heavy lifting or working in the rain. I'll be here for five years. There's no recall; there's no opportunity to get rid of me. It doesn't matter what I do, you can't get rid of me.”

I hope that's not the case. I hope that this chamber and the importance of being in this chamber and the importance of having the trust of your electorate are more important than just simply the levers of power. I know there are people over there, I've talked to people in the government, who say to me the typical things, and not just the NDP when they were in power: "You know, Bob, we'd like to do something. I'd like to get something done in my community. I'd like to get rid of the dump or I'd like to do this or that, but you know, they don't listen to me. It's all done on the second floor."

That's part of our problem in the system. It's part of the parliamentary system. It's all done by the Premier of the day, four cabinet ministers, 10 non-elected people who are the spin doctors down on the second floor reading polls that cost us almost \$1 million which are never revealed to anybody, looking at the sexy issues, "How can we get re-elected?" and not, "What's good for the people of this province?"

1910

I've spent 10 years in this place. I don't know about the rest of these people and I don't want to sound like some sort of a bleeding heart, but I came here to accomplish things. Hopefully, I've tried, and I suppose the proof of the pudding is that I've never gotten into cabinet because I'm not prepared to lie down and play dead for the Premier. Many of these people are. It's the whole problem of our system. You get extra money for being a parliamentary assistant or extra money for being a—

Mr Kimble Sutherland (Oxford): You've got to be a team player.

Mr Callahan: There's the member for Oxford. I can tell you, Mr Member from Oxford, the fellow who took that seat before was a noble individual and I hope you are equally noble—

Mr Sutherland: He's extremely noble.

Mr Callahan: —but some of the things I've heard you espouse in this House at times give me cause for concern.

In any event, I don't want to completely talk about Peel, but I want to read you a story, a true-life human experience—hopefully I've got it here—which maybe underscores exactly what we're suffering in terms of our fair share. I may have lied to you, because I may not have it here, but if I do I will certainly read it to you.

Okay, here's one. I would hope that the members would listen without catcalls and all the rest of it. The names in this are obviously changed to protect the innocent, as they say in the programs. These are true stories.

"Paolo is a very disturbed, out-of-control, 14-year-old with poor coping and behaviour management skills and a tendency to become impulsive and extremely aggressive when upset. He has also demonstrated a significant level of self-harm, especially when he's emotionally needy.

"Paolo will punch his face with his own fist to the point of drawing large amounts of blood in order to defocus from behavioural issues. His aggression and hyperactivity necessitate constant attention and supervision. Paolo presently resides at a highly structured, staff-

operated residential treatment centre setting in Ontario away from his home community. The home is able to provide the intensive staffing, the clinical supports at the on-site school of vocational-recreational programs that Paolo requires.

"He was initially placed at the home by probation services in November 1992, as a result of a young offender's disposition. Peel children's aid society's involvement commenced on September 11, 1993. Upon the expiration of his order to reside prior to placement at the home, Paolo had several short-term placements at other facilities and crisis intervention in various hospitals.

"The residential treatment centre's consulting psychiatrist has diagnosed Paolo as having severe emotional and behavioural difficulties. His prognosis for Paolo is very guarded and he cautions that Paolo is at high risk of harm to himself and others.

"Paolo receives little support from his family. His father's deceased, having hung himself in the family home when Paolo was two years old. Following numerous moves and common-law partners, Paolo's mother has resided with the same partner for the past three years and has three children at home between the ages of nine and four. She's overwhelmed by her son's needs and is able to offer little physical or emotional support to him.

"Kids like Paolo should be able to receive the services they need in their home community. The current reality is that many of Peel's kids must go out of the area to get help. In 1993, the Peel children's aid society had an average of 312 kids in its care in any given month. Of these kids, approximately 65 required placements outside of Peel."

Does that tell you anything about—

Interjection.

Mr Callahan: The Minister of Environment and Energy has just come in and maybe he can solve the dump problem for one of his members, if he's got time.

But that's just one story. That's just one true human-interest story.

Let me tell you, the public accounts committee, which I am very proud of in this Legislature because it's one of the few committees that remains relatively non-partisan, delivered a report to the Legislature, to the Attorney General and to the corrections minister that told us that 80% of the children in young offender lockup are learning-disabled. Now, what does that tell you? That tells you that we have failed the kids of this province totally.

Some people will say, "Who cares about the young offenders?" People out there watching tonight might say, "Well, they got in trouble; they deserve what they got," and "Who cares about the young offenders?" On a personal topic, as I told you, I practised criminal law for 30 years, young kids usually. I've had parents who've said that to me. When I've been at a party or whatever they'd say: "How can you defend them? They're scum of the earth."

Let me tell you something, a true story. After a party like that, the parent who was most incensed about the young offenders, in terms of how dastardly they were, his kid got in trouble. I had him in my office. He was crying,

"Help my son." So it's the old adage, there but for the grace of God go I. We can all be vindictive, we can all be assertive, we can all condemn people until it happens to us or our family, and then we realize that it's important.

Since there are others who want to speak, I would like to end on—not my favourite topic; my favourite topic is kids: learning-disabled kids, schizophrenic kids, kids who are not being helped through the political system, are left believing that we as legislators are looking after their best interests. I have to say, 10 years in this place, and this will perhaps be my final hour. I've had it. I'd rather go back to the courts, where I can deal with real people, care for them, understand them, deal with them and go home at night feeling as though I've done something appropriate. I come to this place, I find that it's such an anachronism, with all due respect. This place is so phoney it's absolutely incredible.

If any person were to come to this place and realize what goes on in this place, they would withdraw tax support to us tomorrow morning. When they realized that half of the people in this place don't even read the legislation or understand it when they vote for it, they'd be appalled. Yet it's amazing that the people you talk to on the street say to me, "When are you going to get rid of Bob Rae?" I say: "Well, look, he's got five years. That's part of the parliamentary system. They won a majority government. They have the right to govern."

When the people of Ontario don't understand that fundamental issue of a majority government, that is very frightening to me, and it should be frightening to everybody. If they don't understand that, what do they understand about this place? Do they understand that the person they've elected as their representative has probably not done a number of things? He or she has not read the legislation, has absolutely no idea what they're voting on, stands up because the Premier or the House whip or the House leader or whoever is in charge says, "You've got to stand up and vote for that," and it may be totally opposed to their whole issue in their home riding.

What we've done—if I can use the word; I don't know whether it's parliamentary, and maybe people out there will turn off their sets or it'll be bleeped out—we have bastardized, and I'm told that's not a bad word, the whole political parliamentary system.

My good friend the member for Durham East will be able to tell you that in the Parliament of England, because he comes from there, the whip's function is not to make sure you've got whatever number of warm bodies you need to vote for an issue in there, the whip's purpose is to make sure that the backbencher of the government is satisfied that what the minister of the crown is going to bring into legislation is in accord with what their riding and their people want.

Now, how did we get so far? How did we come from a person who's a whip in Westminster who does that, which I think is a very democratic process, to the House-marm or the Housemaster whose only job—Freddy's job—is to make sure that you're all here to vote, to support the government on every issue, on issues which you have not—it's not a criticism of you; it's a criticism

of the system that nobody in this House, or very few, have bothered to even read the legislation and understand it.

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Hon Mr Pouliot: What about you?

Mr Callahan: Let me tell you, I read a hell of a lot more legislation than you do.

Hon Mr Pouliot: No, that's not true. I don't have a law practice on the side.

Mr Callahan: The former Minister of Transportation, now the Minister of Northern Development and Mines—he's been put in the cave—has made a comment that I haven't read the legislation. Well, let me tell you, Mr Minister, I make it my practice to read the legislation because, as you said, I practise law, and it will help me when I get out, but it also helps me to understand what the devil I'm voting for.

I went to Sheridan College a couple of weeks ago, and my opening comment to the kids was, "Do you think you live in a democracy?" There was dead silence. Of course we live in a democracy. I said to the kids at Sheridan College, "Let me tell you, you don't." I went through all this stuff about how the legislators don't understand the legislation and how all the decisions are made by the polls and the sexy decisions and not what's good for you but what's good in the polls. They were aghast, absolutely aghast. I think if I'd marched that group out of Sheridan College, we could have probably marched on Queen's Park and taken over the place.

Enough about that. I talk about that all the time, and for some reason the people who talk to me still ask the same questions, so they don't believe me, I guess. Over the years I've been a politician I've always tried to be honest.

The final thing, and others want to speak, is the justice system. I will end with that. I have filed a notice of motion with the auditor of this province asking him to look at the delays in our court system throughout this province, provincially and federally, in order to give us exact figures on just how many cases are just a hair's breadth away from being stayed under the Charter of Rights and Freedoms.

We've heard from the Attorney General. She's an honourable member, just like every member of this House, and she has told us that everything is tried within eight months at the provincial level. She can't tell us about the federal level. Well, I can tell you, I've talked to senior crown attorneys, I've talked to judges, and the Attorney General—I respect her as an honourable member and what she says—is totally misinformed.

What I want to happen, and I would hope that we can get this through, because it's been sort of delayed, is that we have the auditor look at that. It's a simple matter: He sends a letter out to every senior judge of every court and asks the things I've asked in my notice of motion. Let's get the facts straight, because if we don't know the facts and if we haven't got the facts straight, what we'll do is wait until the entire system explodes, civilly and criminally, more importantly criminally I guess, and then we as politicians will run for political cover. What we'll do

is traditional: We'll run for cover; we'll throw money at it, taxpayer's money, deficit money; we will make decisions that are not based on a reasoned, planned platform of how to deal with the justice system. But we'll deal with it in a very imperfect and inappropriate fashion. I hope, even to the members who are reading the newspaper—

Hon Mr Pouliot: I'm looking for a house in Durham.

Mr Callahan: I see, you're looking for a house in Durham. You're planning on running against the member.

I hope and pray that this province will be safe from that explosion and the fallout for my children, for my grandchildren, for my great-grandchildren, God allow me to live that long.

But one thing about politicians is that they don't understand the justice system. They don't understand what the police force goes through. They don't understand what the lawyers go through, the judges and the whole system, even the jury members. I had a jury member who had their car towed away out in Peel. They don't get paid for the first 10 days, and they had their car towed away, if you can believe it.

Hon Mr Pouliot: They don't set lawyers' fees.

Mr Callahan: We're here at 8:24 on December 1, 1994. I predict that by March of next year there will be some very serious cases where the accused will walk on the basis of the Charter of Rights and Freedoms, very dangerous offenders. If you think that the problems you had in terms of protecting the public from Budreo and the others were serious, the Attorney General would be spinning in her chair—or whoever is the Attorney General.

What I'm trying to say is, let's start looking at the justice system. It's not a politically sexy issue. It involves a lot of people who are committed—police officers, lawyers, judges—who believe in the system and are concerned about it. Let's give them the support, let's give them the financial support and all the rest of it, and let's make justice an important issue for this government, the next government and any succeeding government.

The Acting Speaker: Further debate. The honourable Minister of Tourism and Recreation.

Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation): And Culture, Mr Speaker.

The Acting Speaker: And Culture.

Hon Ms Swarbrick: I'm delighted to have this opportunity to speak to the issue of the approval of the expenditures of my ministry, the Ministry of Culture, Tourism and Recreation, and I'm especially delighted to be able to be flanked tonight by my associate minister, the MPP for Middlesex, Irene Mathysen.

Like many families and many people around this province, I grew up actually in a very low-income family. One of the things that my family often chuckles about is remembering one of my mother's many talents: her ability to be able to take a nickel and stretch it to make it last like a dollar. As somebody who grew up with that kind of experience, I want to say how tremendously proud I am of my government for the fact that I know my government would make my mother tremendously proud today.

If there's one criticism of our government that I will very much agree with, it's that we have bad timing. We have such bad timing that the first time we ever had the opportunity to take over the government of this province, we took it over just in time for the beginning of the worst depression since the 1930s. We took over at a time when, contrary to the statements and commitments and promises of the Liberal government before us in Ontario, we did not inherit a zero-deficit budget. We in fact very soon after taking over government were informed by the auditors that we inherited a \$3-billion deficit, and in fact what we've learned since that time is that if you were to apply the new rules that the Auditor General has asked us to follow, in fact we inherited a \$5-billion deficit.

There's a steep learning curve involved when one first takes over managing a government the size of the government of Ontario. We learned pretty quickly, I'd say, on our feet and by the seat of our pants. We got thrown into it, and we learned very quickly, through adversity, the ability to be able to find how to squeeze the costs of government, how to squeeze the costs of the operations of government. In fact, I'm tremendously proud to say that we are the first government in this province in over 50 years to have been able to reduce the operating costs of government from one year to the next. We haven't done that just once; we've done it twice, and in fact we're now coming up for our threepeat.

While we've squeezed the costs of operating the government of Ontario, on the other hand I believe we developed a tremendous talent—and one that I'm still looking to see our federal Liberal counterparts yet learn to do—of being able to move a lot of those costs into building the infrastructure of this province and into learning to run programs with incredible creativity that frees up greater efficiencies to allow us to continue to in fact have programs operate on a tremendously effective, efficient basis while in fact doing more with less.

I'd like to say that I'm tremendously proud of the staff of my Ministry of Culture, Tourism and Recreation. I'm tremendously proud of the stakeholders and the industries that I work with on a regular basis in the fields of culture, tourism, recreation, libraries and heritage around this province. I'm tremendously proud of the leadership of my Premier, Bob Rae, our cabinet and our caucus in helping in fact to learn how increasingly to squeeze the costs of government and build the infrastructure and build the quality of life and renew the economy of this province to reposition us for the kind of growth that this province needs, not only now but for the new millennium upon which we'll soon be entering.

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I want to address the different areas of my ministry, and I'm going to start with the area of tourism. People may not yet realize it, but tourism is an incredibly powerful force in the economy of this province. Tourism puts \$17 billion per year into the economy of this province. To get a sense of what that means, that means more than the fields of agriculture, forestry and mining combined. You're talking about the jobs and the livelihoods of incredible numbers of people around this province being involved in the tourism industry. And it's

a growth industry, an industry of the future.

Globally, tourism is growing at tremendous rates. But coast to coast across Canada, the tourism industry has been on the decline since the mid-1980s. The government of Ontario, led by Premier Bob Rae, is bent and determined to turn that around and to make tourism one of our leading industries of the future of this province.

As with many of the other industries that we've been working to renew, there is one area that we have been working to implement so hard that I think the word is one we've said so much that people are probably becoming tired of hearing it. On the other hand, it's a relationship that I hope people have been feeling so much that they're tremendously delighted to feel the kind of partnership that in fact we've been trying to build with the people and the industries and the stakeholders of this province, because partnership is what is turning around the economy of this province and it's partnership that will cause us in this government, with our stakeholders, with our partners, to be able to continue to renew our economy as we're seeing it finally turning around and becoming renewed.

It's a solid renewal. It's a renewal that's not built on shell games; it's a renewal that's not built on phoney stock certificates or pieces of paper. It's a renewal that's built on tremendously strong infrastructure, on communities that are becoming stronger and stronger, industries that are becoming stronger and stronger across this province.

One of the members who spoke earlier tonight, the member for Simcoe East, referred to thinking that somehow tourism was a forgotten industry in this province. He referred to some successes being despite this administration. I think it's quite interesting that he then, of course, sang the praises of the Sno-TRAC program, for instance. This government, in spite of the recession—the depression—that we inherited, in spite of the deficit that we inherited, has made such a priority out of tourism that let me count the ways of the kinds of turnaround and the kinds of solid programs we've been building.

First of all, in terms of partnership, I want to say we've organized the tourism sector for the first time in a way that has never been done before. We've done that through the use of our sectoral partnership strategy. Our government looked across all of the industries of this province and decided that if we were going to renew the economy of this province, we had to identify, recognize and select those industries that we feel are key to the future of the growth of this province. Tourism was one of those industries we selected.

We therefore approached a number of strong industry leaders in the private sector of the tourism industry and asked them if they would work with us on developing a sectoral strategy to renew tourism in this province. We had them thrilled to be able to participate with the government that way. I'm delighted to say we had an incredibly talented group of people who led the advisory committee on tourism industry sector strategy, led by the chief executive officer of Commonwealth Hospitality in Ontario, Michael Beckley.

Michael Beckley led a group of people who went out

and consulted across this province with over 500 different people involved in all kinds of different ways in the tourism industry of this province and developed a report that they presented to me in February of this year, a report that outlines the kind of strategy not only that our government will follow but that our government has been following.

In fact, even while we had this advisory committee doing its work, we did not do what many governments before us have done and allow that to be our excuse for inaction. Even while the committee was out working and consulting with communities and consulting throughout the industries, we took strong action, the kind of action that it turns out, coincidentally enough, since we were working hand in hand with this industry-led committee, is exactly what the industry has called for in the tourism sector strategy report, which any viewers, if they're interested, can write for and obtain from my ministry or from our field offices around this province.

What are those kinds of investments we've made that other governments before us, whether they be Conservative, whether they be Liberal, had the opportunities to make not only while they were in government but while they were in government in times that were far healthier economically, when they had far greater resources at their disposal than this government has had, and yet we're the ones who identified the weaknesses, who have worked with the industry and worked with the leaders in the industry to implement these initiatives?

First of all, I'll refer to the fact that when we took over the government, amazingly enough, there was no tourism traineeship program in this province. Service is key to the tourism industry. When you go and enjoy a resort, when you go and enjoy a hotel, a restaurant, an attraction, any kind of tourism feature, one of the things that makes a total difference as to whether you go away telling other people that you're going back when you get a chance and you think they should too is service. That's part of what's key to the enjoyment: to keep people wanting to come back, to keep people wanting to stay longer, which of course is a secret ingredient—a not-so-secret ingredient, in fact—in what makes the tourism industry work.

We recognized that lack, we heard the industry and we acted. We provided the funding to work with the industry to establish the Ontario Tourism Education Council. We provided the operating dollars needed throughout their first four years of activity for them to be able to do the work in establishing a pilot tourism traineeship program. The result of that pilot tourism traineeship program was so successful that OTAB, another one of the initiatives of our government, the Ontario Training and Adjustment Board, has now incorporated that tourism traineeship program into its regular feature of training offered to the people of Ontario, offered to the industries of Ontario.

That is a major change. Other governments before us had the opportunity to provide tourism traineeship programs in this province. This government established a council in conjunction with the industry. This government provided startup funds to the council. This government provided the startup funds for piloting the traineeship programs. This government has now provided the

funds to make sure that tourism traineeship program is now an integral part of Ontario's training and adjustment program.

I want to say in that a very special thanks and congratulations to all those people in the industry as well as my ministry who have helped to set this up. In the industry the effort has been led by the chair of the Ontario Tourism Education Council, John Wiens, who is the owner-operator of the Prince of Wales Hotel in Niagara-on-the-Lake, and it's been led, in terms of the staff, by the executive director, Susan Dowler: two incredibly fine people who have led the work of an incredibly devoted group of volunteers from the tourism industry who have contributed, I think, much wisdom to this government, to their industry and to the partnership agreement that's resulted in this tremendous initiative.

Another one of the deficits that we inherited when we came into government, apart from the deficit of training in the tourism industry, was the deficit of information technology being used to the advantage of the tourism industry. A year or two before I became the minister of tourism in this province, I took a holiday down in Nova Scotia. When I was in Nova Scotia, I could use their Check In program to phone and find out information about tourism attractions and accommodations in the Nova Scotia area and I could close the deal and make the booking as to where I wanted to stay at the same time.

When I became minister of tourism, I was very interested to find that in spite of the greater resources this province has long enjoyed than Nova Scotia, no past government in this province had invested in putting Ontario tourism on the information highway so that people could phone 1-800-Ontario and not only get information about tourism in Ontario but be able to do what you can do in Nova Scotia, and that is close the deal and make your booking for your accommodation at the same time.

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In spite, again, of the lack of resources, of the depression that we walked into in this province—actually, despite and because of—we decided this was an investment whose time had come. We invested in a pilot project known as the central reservation and information system that we piloted in eastern Ontario, eastern Ontario being one of the jewels within tourism features available in this province and one of the parts of this province in greatest economic need. Still to this day the pilot is going and improving in eastern Ontario.

We decided this year to expand it throughout the Golden Horseshoe area so that tourists who now want to stay in the Niagara Peninsula, Niagara Falls, the greater Toronto area can find that more and more hotels and resorts are on line with 1-800-Ontario or with our travel centres, so you can go in or phone up and not only get information, but close the deal and at the same time book where you're going to stay for that holiday.

Because this government, Bob Rae's government, believes so strongly in partnerships and in the private sector doing what the private sector knows best to do and the public sector doing what the public sector knows best to do, our government recognized that the public sector's

role should be to help pilot and to help test and to help evaluate this kind of program, but that this is the kind of program that would make most sense to be delivered by the private sector.

For that reason, our government earlier this year launched a request-for-information process for companies in the computing field, the telecommunications field, those companies that know best information highway technology, information systems, to express to us whether they would be interested possibly in taking over the option of being able to build a province-wide information and reservation system to help put Ontario tourism on the information highway.

We had a very successful request-for-information process which resulted in a number of tremendously sound companies bidding for that opportunity. I'm delighted to say that as of yesterday, I made the announcement to move on and to offer the four most successful companies who bid the opportunity to put in a final, solid proposal through a request-for-proposals stage.

I look forward in this spring to being able to announce the successful proponent of who in fact is going to build what Ontario's tourism industry desperately needs: the ability to launch the tourism industry on the information highway in Ontario, in Canada and around the world. Because that's part of what we're speaking of. We're talking about building the foundation also so that one day tourists around the world, tourists in Japan, can access through their computer systems information about tourism in Ontario and close the deal and make the booking of where they want to stay at the same time. Another first delivered by Bob Rae's New Democrat government in the province of Ontario.

There's another deficit this government has inherited. That's the fact that Ontario is incredibly fortunate that we have one of the wonders of the world here in Ontario: Niagara Falls. Every year, 10 million to 12 million people go to view Niagara Falls. That's as many people as go to visit Disney World in Florida each and every year. There's a big difference. When they go to visit Niagara Falls in Ontario, they spend an average of anywhere between \$6 and \$70, depending on whether they're going to stay a full night or not. When they go to Disney World, they spend an average of \$2,000. That's money in Ontario's economy, that's jobs in Ontario's economy, that is overcoming the incredibly high unemployment throughout the Niagara region that the Liberal government before us and the Conservative government before us did nothing about.

When I go down to the Niagara Peninsula these days and when I talk to my colleagues from the Niagara Peninsula who have worked very hard to make sure this government understood and acted on their need for action in the Niagara Peninsula, I have political leaders, community leaders, industry leaders, who didn't used to be New Democrats, tell me that no government before us has paid them the attention, the recognition, nor taken the action that this government is doing.

What have we done? This past year, first of all, we built the Niagara Gateway festival park and welcome pavilion so that we could begin to showcase centrally to

those 10 million to 12 million people per year who go to Niagara Falls just what is available to them to visit throughout the Niagara region.

They can get a taste there of what's offered by the Shaw Festival, by the other theatre companies in the area, the other cultural organizations in the area, so they can decide if they'd like to consider that a teaser to then go on and visit the real thing, to spend their dollars at the attractions of the cultural agencies, the cultural organizations, the tourist attractions, the wine industry etc, available in the Niagara area.

The Niagara Gateway festival park and welcome pavilion gives them absolutely the best view of Niagara Falls that they can have. They can go there and eat, spend the day, learn about the area, learn about the province, enjoy entertainment in that area.

But that was just a start and in fact, to be honest, that was just to show the Niagara area how serious we are about knowing that they need action, and not tomorrow, but today and yesterday.

In addition, we know the difference between what makes sense for the public sector to do and what makes sense for the private sector to do, so earlier this year we launched a request-for-information process, again to identify private sector organizations' consortia that would be interested in building the kind of tourism attraction, in addition to Niagara Falls and the other smaller wonderful features available throughout the Niagara area, that we could be offering in Niagara Falls, something that would be a tremendous attraction to bring tourists in from around the world who already come there but don't stay long and don't spend enough money.

I'm delighted to also say we had a very successful request-for-information process that resulted in a number of strong, healthy, wonderful private sector consortia expressing their interest in potentially building a major tourism attraction to help people stay longer in the Niagara area when they go there.

I expect and look forward to in the near future being able to launch the next stage of that process, the request-for-proposals process, to then again have those consortia express very seriously exactly what their vision is and how they plan to make it work for us to, hopefully this coming spring, be able to announce the successful proponent of who is going to help work with this government from the private sector, work with this government in seriously building the tourism opportunities and the community features and the health of the economy of the Niagara Peninsula: another first, another deficit left by past governments that this government, in spite of the economic time we walked into, has grabbed hold of and is delivering on.

Another deficit in this province was the fact that large conventions wanting to come from the United States, from around the world, to take place here in Toronto, because Toronto is renowned internationally as being a marvellous tourism attraction city, the large organizations wanting to offer large conventions here in Toronto because of the many attractions we have to offer, because of the safety of Toronto as a city, as a community, have had to be sent away to cities like Chicago because the

Metro Toronto Convention Centre, our provincial facility, was not large enough to accommodate them.

This government turned hell and high water, if I have to say so, totally, legally and in partnership with organizations like our heritage community, with the private sector, with Marathon Realty, to develop the land arrangements, to develop the rezoning approvals, to work with the city of Toronto in doing so, with Metro Toronto, to be able to announce the expansion of the Metro Toronto Convention Centre by doubling its size.

By doing so, the Premier and I and Rosario Marchese, the MPP for Fort York, the area in which the convention centre is located, and other cabinet ministers, Frances Lankin, the Minister of Economic Development and Trade, who's responsible for helping to develop some of the overall development in the west Toronto downtown lands, went down the other day, along with the construction unions, along with many people, looking forward to the ability to celebrate the backhoe going into the ground to begin the construction of the double-sized, expanded new Metropolitan Toronto Convention Centre, giving birth to thousands of construction jobs immediately in this city now at work, giving birth to, once that convention centre is up and operating, what will mean in fact 8,000 new permanent jobs each and every year from the new stimulus added to the retail sector, the restaurant sector, the hotel sector in this province.

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This is again a tremendous success, efficiently run, meaning incredible numbers of jobs and health in the Toronto economy, but not just the Toronto economy, because when I've stayed at resorts over the years around this province in northern Ontario, in other parts of this province, I've run into people there from Switzerland, from other parts of the world, who have told me that they came to Toronto for a convention but because they knew this was their chance to visit Ontario, they decided while they're here for their business convention in Toronto to at the same time add on a holiday to some other part of Ontario. The doubling of the size of the Metro Toronto Convention Centre is good for the economy of all of Ontario.

One of the recommendations of the tourism industry sectoral strategy has been the development of a blockbuster strategy for blockbuster events to attract people to Toronto, to Ontario. That's another initiative that our government has acted on very soundly. One of the early things we did was to help put our money where our mouth is and put our mouths of support into a bid to bring the Breeders' Cup, a major, major draw in the horse racing tourism community, to Toronto in 1997.

The Breeders' Cup will be here and, as Bill Duron, the wonderful, wonderful man who has helped to inject incredible developments in tourism within Metro Toronto, has said, that has just generated so much optimism within the tourism industry of this city, to know that we won that victory. But we've gone on to win others.

This government worked hand in hand with the leadership of the Art Gallery of Ontario, with Joe Rotman, a phenomenal chair of the Art Gallery of Ontario, with Glenn Lowry, a phenomenal executive director,

president of the Art Gallery of Ontario, to invest \$3.75 million to bring the Barnes Collection to Toronto. As you know right now, people from around the world are coming to visit the Barnes Collection in Toronto because Toronto is one of only six cities around the entire world where you can come and have the never-before and never-again opportunity to view the Barnes Collection.

That collection is bringing \$35 million in tourism spending into the Metro Toronto economy; it's creating 1,000 jobs; it's in fact raising the impression of Toronto and of Ontario within the international arts world; it's raising the status and attraction of Toronto and Ontario within international tourism.

Toronto is known around the world as one of the top three centres for theatre in the English-speaking community. The Barnes Collection is part of what helps raise profile and attention to that, but in terms of the theatre community I want to mention some of the initiatives again of our government in helping to build the theatre community and the theatre attractiveness of Toronto to people around the world.

When I'm saying we're the third within the top three cities to attract people to theatre in the world, I'm putting us right up there with New York and London. People come flocking from the United States for theatre in Toronto because they know they can not only get top-quality theatre, they can get it in a safe environment, one that offers them the opportunity to—

Hon Mr Pouliot: From the CN Tower to the SkyDome.

Hon Ms Swarbrick: One that offers them an opportunity, as my colleague the Minister of Northern Development and Mines and minister responsible for francophone affairs is mentioning, to see all kinds of incredible other facilities, like the SkyDome, the CN Tower etc.

I want to say a special thank you to a few of the people who have helped to put Toronto on the map in international theatre, and that is to David and Ed Mirvish, to Garth Drabinsky and Myron Gottlieb, to the Toronto Theatre Alliance, to the leaders of the non-profit theatre community. But of course the people who have helped to deliver the panache and the vision, the spectacular, have in fact been Drabinsky, Gottlieb and the Mirvishes.

They've also been able to do that because of the help of this government. This government allowed an exemption to tax on commercial theatres with seats of less than 3,200 to help build that industry, an industry which has created incredible numbers of jobs in this community.

In terms of tourism, again a real deficit that I've heard consistently from the tourism industry since becoming minister and that our government heard before that, is that past governments had done nothing to make sure that the highway signs around this province operate in consideration of the tourism industry.

We quickly began working with the private sector tourism industry in this province, and I'm delighted to say were able to announce, in conjunction with my colleague sitting in front of me, Gilles Pouliot, the former Minister of Transportation, the Ontario tourism highway

signs pilot project, which we launched earlier this year.

The Ontario tourism highway signs pilot project now has signs up that for the first time ever the tourism industry feels are working to their benefit along Highways 169 and 118, on Highway 401 between Brockville and Cornwall, and in the St Jacobs community.

Those signs will be evaluated by government. Government has taken the responsibility in this province, the New Democratic government under Bob Rae's leadership, to test that new signage the way the tourism industry has said they want it. We'll evaluate that signage and, again, we know when to step back and let the private sector do its job.

I expect early next year to be able to offer to the private sector a request-for-proposals opportunity for hopefully a major sign company to end up becoming declared to be the successor in being able to offer a new highway signage program to all the tourism industry to all of Ontario's tourists around this province.

There are so many things that this government has done in the tourism area, but I need to move on to make some reference to what we've done in the area of culture, in the area of recreation.

Mr Mills: Mention my name. My wife doesn't believe I'm here.

Hon Ms Swarbrick: The member for Durham East is asking that his name, Gord Mills, be mentioned here. I know he has done tremendous work for tourism, for culture, for recreation in the community that he represents in Durham East. Besides that, he also gives us a lot of laughs and leadership.

Mr Tony Martin (Sault Ste Marie): He's a heritage site in himself.

Hon Ms Swarbrick: The member for Sault Ste Marie says, "He's a heritage site in himself," and he certainly is one that attracts many of us to be proud of that heritage site as well.

In the area of culture in this province, there are people who believe that culture is a frill. I want to say that this is a government that knows that culture is no frill. As Franklyn Griffiths, a tremendously insightful professor at the University of Toronto, recently wrote:

"At a time when peace is fortunately breaking out more and more around the world, at a time when global barriers and global borders are coming down," in Mr Griffiths's perspective, which I have to wholeheartedly agree with, "it's time that we're able to reduce the spending on the armed forces. However, if we're going to protect our sovereignty, our distinctiveness as Canadians, as a people in control of ourselves, we need to be able to move some of those dollars into the area of culture."

When I say that, what I mean is none of us wants our children or ourselves to be limited to watching television that offers us simply American television with the kind of violence and crime that we see offered there. None of us wants to have our Canadian stars continue to have to go to Los Angeles, to California, to Hollywood to be able to make it big. We want to be able to see our stars develop here at home. We want to be able to see our values being

reflected in the TV, the movies, the music that we hear.

Culture also gives us the opportunity as people, young and old alike, to develop our imagination. It gives us the opportunity to express ourselves as a people and, through that expression of ourselves as a people, to develop our self-confidence as individuals and as a people, as Ontarians and as Canadians who believe in ourselves and our ability to travel the world and to negotiate on a world level as world leaders, to negotiate as peacekeepers around the world, to be able to do business with the best of them, to be recognized as elder statespeople along with the best of them. Because here in Canada, among our people, we have some of the best of them.

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I also have to mention that culture means jobs too. We launched a sector partnership advisory council earlier, last year, that this year reported back to me with its recommendations in a report entitled *The Business of Culture*. *The Business of Culture*, for all those viewers who would like to call and obtain a copy of it, helps to show the kind of significance culture has in job creation and economic wealth creation throughout Ontario's communities and in this economy. In fact, in Ontario we represent 58% of Canada's cultural jobs, cultural industries.

This government has grabbed hold and launched a number of initiatives, even before getting the report from the cultural industry sectoral strategy group, known as ACCISS.

First of all, with the timing we walked into in the economy of this province, we found ourselves faced with a situation where Ontario publishing companies, who are the people who publish Ontario authors—85% of Ontario's authors who are published are published by Ontario publishing companies, not by American ones. We recognized, when we saw a tide happening of publishing industries going bankrupt, that we needed to step in and to do something.

So in 1991 we established the Ontario Publishing Centre. With the help of the \$12.2 million in grants and loan guarantees that have been tremendously effectively and efficiently targeted, I can tell you that since that time not one publishing company in Ontario has gone bankrupt. I can tell you that, as a consequence, the publishing companies of Ontario have been able to grow and expand. While doing so, we've therefore not only fully protected the 1,500 jobs existing at the time, but we've been able to create an additional 200 to 300 jobs and reposition that sector for continuing strong growth.

We found the same kind of economic strength in the film and television industry. Toronto is known as Hollywood North. Toronto has so much film and TV production going on that it is a tremendously significant job creator here. I was tremendously delighted to notice in this last year, thanks to some of the incredible work done by the television and film industry in partnership with the support we've helped to provide through the Ontario film investment program, that the Ontario Film Development Corp has been able to ensure that we've continued to boost jobs in film and television production in Ontario and to make sure we are offering television and film productions that show our values as Canadians, that

develop our writers, that develop our acting talent. I'm delighted at the fact that my government, again in spite of the economic times we walked into, has renewed the \$14-million-per-year Ontario film investment program each year so far that we've been in government.

For all the reasons I've mentioned already, culture is tremendously important to this province, yet Ontario's cultural workers, our artists, are among Ontario's most vulnerable workers. They're some of the workers who work for the least pay, workers who have the least, in many cases non-existent, pay and benefits. They are workers deserving of tremendous support, and for that reason and for the reason that we haven't been able to do everything we've wanted to be able to do in providing support for status of the artist initiatives, in 1991 we increased the funding to the Ontario Arts Council by 26%.

That's totally contrary to what every other government across this country has done, the federal government and every other provincial government, but it's of tremendous value. It's not only meant the health of the arts community, which means the health of all our communities from Ottawa right across to Windsor, from the far north, to aboriginal Canadians, to us here in Toronto, to every corner of Ontario; it's meant jobs for arts and culture workers, it's meant building our self-esteem, our health, our values as a people, and it's meant protecting some of Ontario's most vulnerable workers. It's also meant being able to offer the services and the programs of the Ontario Arts Council to groups that had never been able to access it before.

I mentioned the theatre community earlier when I was speaking about tourism, and certainly when we speak about the theatre community, tourism is a tremendous byproduct. But the theatre world is also tremendously important in terms of trying to develop Canadian productions to not only be successful in non-profit theatre but to be launched to success in the commercial, private, profit-making theatre community as well.

That's how we're going to be able to make sure one day that stars of the quality of, for instance, those presently starring in the *Nothing Sacred* production at the Elgin-Winter Garden Theatre, like George Fox, like Sonya Smits, like Randy Hughson, like Eric Peterson, like R.H. Thomson, who stars in many other productions, that those people become household names one day, that George Walker, the tremendous Ontario playwright who has written *Nothing Sacred*, also becomes a household name in Ontario and Canada like Neil Simon has become in the United States and in Canada.

Another initiative of this government has been to finally pilot the use of the theatre development fund to support mounting a production that used to be able to operate only in the non-profit theatre, to support it being piloted and tried out for commercial theatre purposes. People who have gone to the Elgin-Winter Garden Theatre any time might like to know that 50 cents of their ticket has gone to establish that theatre development fund, but up until recently it was simply left to sit.

It's this government that's had the guts, the chutzpah, the nerve, to decide to use the theatre development fund

to pilot its investment in the production of *Nothing Sacred* at the Elgin-Winter Garden Theatre. It's there until December 31. I urge every Torontonians, every Ontarian, to take advantage of the opportunity to go to see a production that they'll find is uniquely Canadian, that causes us to think, that stimulates our imagination, our creativity, that helps to develop our sense of power about ourselves, our self-esteem as Ontarians and as Canadians.

Libraries are tremendously important to the culture, to the education, to the communities of Ontario. This government, in spite of the economic times we walked into, has entirely protected provincial funding of public libraries. This government has been working to initiate and launch the first-ever aboriginal library service to help provide library service the way that first nations communities in Ontario need it delivered to meet their needs. I look forward to being able to announce in the near future that the work a tremendous group of people from first nations communities around this province has led up, in conjunction with the staff of my ministry, can result in a first-ever first nations aboriginal library service.

In addition, this government recognized that Ontario's libraries need to be launched on the information highway. Again, in spite of economically challenged times and because of economically challenged times that have meant people have needed more than ever before to rely on their public libraries, this government invested money into putting Ontario's libraries on the information highway, to electronically link Ontario's public libraries, to develop a province-wide database to allow Ontario's libraries to share resources—the kind of efficiency needed, as well as ensuring that the public is able to increasingly have access to a number of different information sources through their local library whether or not they can afford a computer.

2010

I was delighted earlier this year, along with my colleague the Minister of Environment and Energy, Bud Wildman, to announce and open the electronic registry for the Environmental Bill of Rights. Every Ontarian now can go to their public library and through their computer system access information and be empowered as Ontarians to take control of the kind of environmental controls that operate in this province, to have more ready access in the development of environmental policy in this province, and to be able to act to help police the protection of the environment in their province. They can do that now through their Ontario public library.

The heritage of this province and this province's people is incredibly important. My ministry is responsible for working with communities around this province to help protect the heritage of Ontario's communities. At a time when Ontarians are faced with change and instability and insecurities like never before since the 1930s, our government has been delighted to help work, to help the protection and development of the heritage of this province as a way of making sure we can feel all the more soundly our roots, know about our roots as Ontarians, to enjoy those roots and use that sense of our roots as a sense of security during very challenging and changing times.

For that reason, I'm delighted with a number of our initiatives, things like using Jobs Ontario Community Action to help develop, renovate, expand Ontario's community museums, our historical buildings, our archaeology, our architecture; to help develop knowledge and enjoyment of heritage trail systems, from the underground railway in the Niagara area and the Windsor area; to help learn more and more about workplace heritage.

In fact, the heritage of the working people of this province has been too ill-documented in the history of this province. When we read and learn about history in the schools in Ontario, it's history created by a few people who have had the opportunity to be the leaders at the top in a number of organizations.

The reality is that when we look at this building, Queen's Park, when we walk outside its door and look down University Avenue, when we go to community after community throughout Ontario, the people who built the buildings, the people who built the roads, the people who built the libraries, the people who manufacture product, the people who provide service, the people who do all of those many things that make Ontario happen, are Ontario's working people.

We've been losing plant after plant. As federal policies on free trade, as federal policies on high dollar rates and high industry rates under the Mulroney years, as policies on NAFTA, the GST, as all those policies served to deindustrialize Ontario, we were losing plant after plant and, along with those, we were losing the history of the people who work there.

I'm delighted to say that my government earlier this year announced an initiative never done before in this province, a workplace heritage program, a workplace heritage fund administered through the Ontario Heritage Foundation in conjunction with people who represent working people through Ontario's unions. Each year we will now be able to support at least three or four heritage projects to research, to document, to recognize and to protect the contributions made by Ontario's working people in the development of their province.

The last thing I'm going to make reference to—and there are all kinds of things, believe it or not, that I'm leaving out—in what this government has done to help build the culture of this province and help create the jobs of this province, as well as to be able to take advantage of the synergy that exists between culture and tourism, is to have used Jobs Ontario Capital not only for the building and construction of new travel centres, but also to use Jobs Ontario Community Action to help develop and protect the culture, tourism, recreation sector's heritage library resources around this province.

In the cultural area, some of those initiatives have included the restoration of incredibly historic theatre facilities in communities like Shelburne, Gravenhurst, Perth, Windsor, Guelph, Ottawa, Oakville, the town of Campbellford—I'm leaving out all kinds all around this province. But believe me, as the Minister of Culture, Tourism and Recreation, I have the incredible fortune when I travel communities around this province to be able to see the kinds of things where the Ontario government has worked in conjunction with municipal govern-

ments and with other organizations and wonderful people within communities around this province to restore, to build, to help showcase and make those communities more and more attractive as part of the tourist infrastructure that is developing those communities' ability to diversify their local economies, but also to develop the kind of quality of life that builds the quality and the order of life and the humanity of life in our communities around this province.

We've used Jobs Ontario Community Action to help develop the culture and tourism attractions of festivals around this province, a new theatre company in Orangeville, the opening of a new Canadian heritage floor at the Royal Ontario Museum—so many things that it's no wonder the United Nations declares Canada as being the number one country in this world in which to live, Toronto the number one city and, if they looked to provinces I know they would conclude, especially today, after the things this government has helped to build over the last four years—not through a paltry \$600 million per year that the federal government is investing in infrastructure, but through \$4 billion to \$5 billion each and every year since we've been in government that we've been able to put aside by finding ways to contract the costs of operating government programs in this province and move it over to building community infrastructure in all of our interests.

I can't stop without making reference to the fields of recreation and sport in this province. Again, people often think of recreation as a frill. The investment in recreation and sports is of tremendous value, again, partly as tourism attraction, tremendously in terms of helping to build our health as Ontarians and helping to promote good health and hopefully help to save health dollars on trying to make people well again when they become ill. Active living is good for people's health.

Recreation and sport helps build self-esteem. We're becoming increasingly aware that when kids get into trouble, often it's because they have low self-esteem; often it's because they haven't had opportunities to be involved in recreation and sports and to be able to build positive outlets for their energy and self-esteem. If we would only invest—when we hear time and time again of people and families getting concerned because of growth in crime, the automatic reaction is to think we should throw more money at police and enforcement and penal institutions and finding ways to punish people.

2020

Studies are beginning to show, experience shows, that putting money into recreation and sports opportunities for our youth is in fact far more cost-effective in preventing crime, far more cost-effective in developing self-esteem, self-esteem that translates not only into good citizenship but self-esteem that translates into an ability to know how to work in teams in workplaces, an ability to learn self-discipline, an ability to learn about volunteerism in communities. There is nothing that attracts more volunteers to be active in their communities than recreation and sports, and that in fact attracts those people to then get involved in the political life of their community at all levels thereafter.

What I've learned in working with schools on sports and recreation, and all kinds of organizations in this province, is that the kids who do best in school in fact are those who are involved in recreation and sports.

Finally, again in terms of job creation, the recreation and sports field is very significant in the health of our economy. The manufacture of sports equipment and sportswear is tremendously significant in the manufacturing industries of this province. The services provided in recreation and sports are part of what's tremendously significant in the economy of this province. This is an area that is being supported by this government through our Ministry of Finance.

My colleague the Minister of Finance earlier worked with a number of ministers to established venture capital funds including, for instance, labour-sponsored funds that can be accessed to help boost a number of businesses. I was delighted to notice about three weeks ago the announcement of a new venture capital fund known as sport fund that exists because of the Ontario tax credits that had been established by Floyd Laughren, the Minister of Finance in this province, as a venture capital fund to be accessed through sport fund for the purpose of investing in companies that are involved in sports-related manufacturing, distribution and retailing, and in the development and production of products involving fitness, medicine, sports injury therapy and safety.

For a whole lot of reasons, recreation and sports means good economics as well as good fun, good work habits, health promotion, crime prevention—a whole lot of things incredibly important and of priority to the families and working people and children of this province.

In terms of the accomplishments of this government in the area of sports and recreation, first of all, this government helped us to work, again in partnership, with the Parks and Recreation Federation of Ontario and its many wonderful people who work with it to document the economic and social benefits of parks and recreation, and to therefore launch both a catalogue and a video that show very clearly the many benefits of parks and recreation.

Safety in sports and recreation is crucial and so in terms of safety, again we've launched a number of initiatives in this province. We've established at the Ontario sport and recreation centre a new recreation safety resource centre which is helping to reduce the number of fatalities in sports industries in this province. One of the concrete examples I'd like to point out is that led by this government, with the support of this government in partnership with organizations like the Ontario Federation of Snowmobile Clubs, led by a tremendous leading citizen of Sudbury, Don Lumley, and other colleagues of his, we in Ontario have supported being at the leading edge of the reduction of fatalities in the snowmobile industry.

Through the Ride Safe, Ride Sober campaign, through the Ontario Snowmobile Safety Committee, a wonderful group of individuals from a number of sectors supported through the ministries of Culture, Tourism and Recreation, Transportation, and the Attorney General, a number of ministries in this government, in one year we were able to reduce the number of snowmobile fatalities in this

province by 41%, a tremendous achievement, the kind of achievement again that this government, led by Bob Rae, the New Democrat government, has been able to achieve in spite of the kind of economic constraints under which we've worked.

I mentioned in my opening comments on recreation and sports the benefit to health and health maintenance and health promotion and illness prevention through sports and recreation, and so for this reason I'm also tremendously proud of the pioneering, leadership, partnership that my ministry and the Ministry of Health in this province achieved in announcing in 1991 a new Ontario community active living program; a program that has resulted in the training of over 6,000 community leaders in over 400 communities across Ontario and more than 1,000 community active living events being initiated and sponsored in building the health of communities around this province since 1991.

I mentioned the area of youth crime prevention. Our government has been tremendously proud of the youth at risk leadership training programs that we've been offering each and every year for the last number of years to try to help use recreation and sports in preventing crime among Ontario's youth.

Other initiatives included the first-ever franco-Ontarian high school games being held in Orleans near Ottawa in 1994.

In sports and recreation there's been a tremendous challenge to find ways to increase the involvement of women and girls in sports and recreation opportunities around this province and to find ways, when women and girls participate in sports and recreation, to ensure that they feel welcome, to ensure that behaviour towards them does not include sexual harassment, or harassment or intimidation for other reasons.

Since the early 1980s, from the Sopinka report onwards, there has been a demand for the government of Ontario to act, to introduce a policy on gender equity in the field of sport and physical activity. As said recently by former Olympic athlete, Bruce Kidd, past governments have promised this kind of initiative, but this government led by Bob Rae, this New Democratic government, is the one that's finally announced earlier this year a policy on full and fair access for women and girls in sports and physical activity in this province.

It's this kind of initiative and this kind of partnership along with the partners who are actively at work in communities and provincial organizations and provincial sport and recreation organizations around this province that is resulting in increased sports and recreation opportunities for women and girls, and a change of behaviour towards women and girls in sport and recreation activity.

One of my colleagues on the other side of the House, earlier this evening, made reference to the success of the Sno-TRAC program in communities around this province. Again, in spite of the economic challenges my government faced, it wasn't the Liberals before us, it wasn't the Conservatives before us, it was Ontario's NDP government that invested \$14 million into developing a province-wide snowmobile trail system that has already made much more, double, triple the return on that investment

in what it's contributed to job creation and the economic development of communities. Snowmobiling is big tourism. Snowmobiling puts money into tourism accommodations, restaurants, communities all around this province.

Interjection: Communities like High Park.

Hon Ms Swarbrick: Communities like High Park, my colleague says. Communities all around this province. Never before has there been a province-wide snowmobile trail system that not only functions to benefit tourism and economic development, but that also is operated to protect the environmental sustainability of Ontario's wildlife, of Ontario's wilderness areas, in the way the Sno-TRAC program this government has supported with \$14 million in investment in addition to the almost \$7 million of private sector partnership dollars and private sector work, hard work done in conjunction with us by the Ontario Federation of Snowmobile Clubs and the many membership clubs that belong to it.

2030

I mentioned earlier blockbuster strategies. Blockbuster strategies are part of what this government has invested in all around this province, from investing in ensuring that the World Nordic Ski Championships, which will take place in March 1995 in Thunder Bay, in the Lakehead region of our province, will be a tremendous success.

We took over government at a time when a commitment had been made by the Ontario government to put \$5 million into helping to bring the World Nordic Ski Championships into the Thunder Bay and Lakehead area.

The federal Liberal government was asked for the same \$5-million contribution. The World Nordic Ski Championships in Thunder Bay were in great jeopardy for a number of months earlier this year because the federal government would not honour the request for \$5 million that this government in Ontario had honoured.

As a result, this government again had to pick up the bag from the federal government, whether it's been a federal government under the Liberals or a federal government under the Tories. Consequently, we invested an additional \$3 million, for a total of an \$8-million investment to make those games happen.

Is that an economically important investment? It sure is. It's that investment that in fact is going to result in a tremendous number of jobs—1,563 person-years of jobs—in the Lakehead region of this province, that is going to result in 300 million television viewers around the world seeing highlighted the kind of nordic skiing facilities that are now going to be the number one nordic ski facilities available around this world.

That investment made by the Ontario government, and increasingly honoured and supported by the Ontario government, to bring those games and make sure those games will stay, because they were in jeopardy of being lost, in the Lakehead and Thunder Bay region will happen because of this government, will mean not only temporary jobs and temporary wonderful role models being created in recreation and sports for Ontario's youth, but will mean the continuing diversification and develop-

ment of the northwestern Ontario region of this province.

This government has worked with many partners to attract those kinds of blockbuster recreation events to Ontario. I'll name a few: the World Basketball Championships, held earlier this year; the World Wrestling Championships; the World Indoor Track and Field Championships; the Special Olympics, announced by our Premier just a few weeks ago; the International Children's Games; the World Camping Congress; the International Marine Heritage Festival; the Canadian Scout Jamboree '97; the Girl Guides '93 International—I could go on and on.

I apologize to those communities that I leave out as I mention those blockbuster events that they've worked in partnership with us to attract and bring to this province. I also apologize to all those many communities that I leave out on what we've done in the areas of culture, tourism, recreation, heritage and libraries to build the community infrastructure of this province through Jobs Ontario Community Action.

Of course, I think of the kind of waterfront developments being built all around this province. I think of, for instance, in the riding of my colleague the MPP for Niagara South, the marina waterfront development, and heritage developments in Port Colborne-Fort Erie. I think of those I've visited from the north to the east to the west and centrally around this province.

The concept that I started out with—and I can't believe how long I've gone on—was to show that in spite of the economy, Bob Rae's NDP government and my colleagues, as new, inexperienced members originally, in 1990, inherited an economy—

Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs): So many accomplishments in so little time.

Hon Ms Swarbrick: So many accomplishments in so little time, as my colleague from Algoma says. In spite of the deficits that we inherited, of not only the supposedly zero deficit that turned out to be a \$3-billion deficit, that turned out, if you apply the auditor general's current auditing requirements, to be in fact a \$5-billion deficit that we walked into inheriting, this government learned quickly. This government acted on incredible initiatives to make my mother proud—my mother, who could make a nickel stretch to a dollar. This government has learned so well to make a nickel stretch to a dollar and to do so in building permanent infrastructure to reposition communities and industries around this province towards the solid economic renewal that Ontario needs for its future.

I'm so proud of Bob Rae, our Premier; I'm so proud of the Ontario cabinet of the New Democratic government; I'm so proud of my colleagues in caucus who have worked in their communities around this province to help reposition Ontario's economy in a way that we're now seeing bearing results. Ontario's economy is turning around, and I believe the man who's led its turning around is my Premier, Bob Rae.

The Deputy Speaker (Mr Gilles E. Morin): Further debate?

Mr Alvin Curling (Scarborough North): My

colleague the minister just stated that she can't understand how long she's been on. I presume that it was the intention of the minister of course to speak as long as she could, maybe in a desperate attempt to convince not only us but her backbenchers that the government has done something good. In all that speech, I haven't heard anything good. I didn't want to start on any kind of negative term, but I couldn't believe the length of time that she has done on the backbenchers.

I wanted to have heard from the lips of those backbenchers, who have sat for four years under some of this jurisdiction of their government: "I too would like to support and have concurrence to this estimate. Let me tell you how it has affected my constituency." But, oh no, the dominance of the ministers over there is saying: "The backbenchers, you stay there and just clap your hands and vote yes when we say yes and vote no when we say no." Oh, it's a shame, that New Democratic Party. Now I'm understanding what new democracy is all about.

In addressing this very important part of the afternoon, when we're looking at concurrence to these estimates, one of the things that I've realized is that the people of Ontario do not believe that they're getting good government, that they're getting good service for the kind of tax money that has been collected from them. The people of Ontario feel that they're not getting value for their money for this large corporation, this \$50-million corporation that is in place that's supposed to collect taxes and deliver services in an effective way. They don't feel that they're getting that kind of service for the money that's being collected.

As a matter of fact, they feel that a lot has been wrong. They feel that the corporation, to begin with, is too large and keeps on growing, that even the minister's staff and the Premier's staff have grown even further than previous governments, although they promised to reduce all that large staffing within their own bureaucracy. That hasn't happened. This bureaucracy has grown so complex that not even the bureaucrats themselves understand it, much less the people whom they serve. So, again, they feel that service for their money is not worth it.

They also believe that the continuous, long delay to get services is another impediment and sort of frustration on behalf of this government. Sometimes they almost believe it's deliberate on the part of the government to frustrate the people so that they could almost get fed up. You have people today who should, more or less, get unemployment insurance or welfare or housing who don't even line up for it. There are people who have cases in court who give up, people who want to go to the Ontario Human Rights Commission who give up—three to four years' wait—and decide that this bureaucracy that's supposed to deliver service for the tax moneys that they receive, this large, \$50-million bureaucracy cannot deliver just, fair service to the people. Frustration, of course, builds in.

2040

Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations): Better check your figures.

Mr Curling: The Minister of Citizenship said I

should check my figures. I should ask her to check her ministry. I give up in this House. I am the critic for that. I have given up even asking her questions. I can't even get answers for very simple questions from the ministry that has an enormous backlog and the inefficiency of employment equity that cannot get even on the books properly. The Anti-Racism Secretariat is not even delivering. We have evidence daily; Humberstone school is swarming with racism. In order for them to put in place a good process—they have sat back and I haven't heard a peep out of them, not a peep out of the minister in the area to come out and say: "We are concerned. We're going to deliver services because we've set up this large bureaucracy."

They walk in here today and say: "We want concurrence on all these things. Please, let us go out and spend some more money." Of course, no matter what we say here for hours or so, no matter how we appeal to the government, they will vote and it will go through normally. Again, at least they have left a little bit of hope of democracy where they can't stop us from expressing in our time, although they have shut down the place.

They even want to close us up from even speaking properly. They have four bills that they have closure on us not to speak, large omnibus bills, bills that are extremely complex even for politicians who deal with this thing daily. Even lawyers who try to understand the legislation would say we need time to debate it, to understand it. But no, this very New Democratic—meaning, undemocratic—Party decided that: "No, we shall not speak any more. We're tired of hearing from the people. We will now proceed and all that you think that you have said or should have said or written has been heard. So that's it, let us proceed."

The same government that put closure on bills, that had more amendments to their bills—on one of the bills, the Planning Act, there were 240 amendments. I would give you a guess to say how many of those were government amendments. Do you know? Of those 240, 140 were government amendments. Even they couldn't get it right. But what they did was they shut it down and decided that there should be no more speaking on this. They come in and call themselves the New Democratic—or the undemocratic—Party.

The people of Ontario feel that they are not getting good service for their money. They say, "As they grow bigger and they tax us more and as they become more arrogant, we're not getting good service for our money." No matter what we do, red tape is thrown in people's faces. People can't even get through the process of understanding forms. Businesses are saying to them, "Please, for God's sake, for Allah's sake, whatever gods there are, please stop this red tape, allow us to just do business. Continue please. Allow us to get on with the business of creating jobs."

This government has taken it upon themselves, "We are here to create jobs." Governments shouldn't create jobs. They must put the stimulus in the economy in order for the private sector to create jobs. If you want people to be educated, you give money to institutions so that they can go out and train and be productive. If they want,

they come here, and if Bob Rae takes a taxi and gives a \$2 tip, you know what he says? "Jobs Ontario." If he walks down the road and buys something, every time the government spends money, an expense account or anything, he says, "Jobs Ontario."

Hon Mr Wildman: That's a silly comment.

Mr Curling: It might be a silly comment, the man would say, but it is not, because every little line is: "That's jobs. We have created so many jobs." We have lost more jobs than we have created. As my colleague the member for Scarborough-Agincourt has pointed out to you over and over, when you come and brag about your economy in here you have not been progressing at all.

It took them two years to get the sense in their head that you can't spend more than you get. They were going to pay off everything they could in order to arrest this economy that was running away from them. As the Minister for Culture, Tourism and Recreation stated, it took them some time to understand that they are the government.

Thank God for democracy. Thank God for the process. Within a short time their mandate not only will run out, but the people will make sure that this incompetent government does not take place and continues to do its mismanagement of this economy. The record increase of taxes will stop, as Lyn McLeod has stated. In putting a proper plan in place, that will stop. That's very efficient government. High unemployment shall cease. They are comfortable, of course, with 9% unemployment. We in the Liberal Party feel that not until we have about 6% unemployment can we decide to say, "Well, things are happening."

Thousands of people out there still, while you're bragging inside here about statistics, are out of jobs and are fed up. And you know what the Treasurer has stated? He said, "Of course, as soon as things turn up, people are coming on stream now"—those who have given up, given up under this New Democratic Party government, have put their hands in the air and said: "Alas, it's over. I will not look for any more jobs because these people have turned off all the businesses in this province."

They have shut down the trade offices around the world and said: "Listen, we don't need trade offices. We don't need that. We don't need to expand our economy. We need to, of course, pay off everything we have and pay off those we want to pay off," beside the fact that no jobs were created.

They are fed up and now, as things turn around—Mr Speaker, you must have seen that. I know that you read the paper every day. I've watched you carefully reading the news and I've observed you paying keen attention to what's happening to the economy and how the Premier behaves.

In China the Premier, Bob Rae, smiling so nicely with the Prime Minister as he tried to get more jobs—

Hon Mr Wildman: Are you opposed to that?

Mr Curling: I'm not opposed. I was so happy to see the Premier there saying, "I am here." As the camera flashed, the Bob Rae smile was there. I was so happy and I said to myself this is a very intelligent man, intelligent,

and when he comes back I want to see him stating openly that the Liberal Party of Canada, which has led one of the largest delegations of trade to a country that is growing, where the possibilities are there—of course we have signed many contracts. He did. He came in, and as an honourable man he stood in the House and he commented on the progress and the attitude and the demeanour of this wonderful Prime Minister of our country who decided to expand the economy and realizes that the way for us to grow, the way for our trade to expand is to reach out beyond the borders. He also agreed that we always—

Mr Noble Villeneuve (S-D-G & East Grenville): With free trade.

Mr Curling: The member from S-D-G says we agreed with free trade too. Definitely, the Liberal Party always agreed with free trade.

Hon Mr Wildman: Oh, really? John Turner agreed with free trade?

Mr Curling: The Prime Minister says it's an efficient way in which we should do it and the way we do it we shall not sell our souls to the United States.

We shall not sell our souls to anyone because, as we expand our market, as the Prime Minister decided we should reach beyond the shores of North America, we could go on in Asia and make sure that we can trade with many more and have businesses. I saw the Premier right there with all the photo ops, and I'm glad he did so, that same Premier who was shutting down trade offices around and felt it was not necessary for us to trade with other countries. If he believes that we should trade by fax machine and telephone from here, the fact is that it doesn't work that way. Fax machines of course are modern technology, but I will tell you that you can't do that.

The type of hypocrisy that we see here is that as we close the trade offices down, which one did we not close down? The one in Japan, where he had his little lackey down there, his political appointment to continue his service there. Of course, I am the first one to say that it was our Premier, a Liberal Premier, who appointed him to Japan. The fact is that if you're closing down those trade offices, then you should close down the one where that NDP individual is.

I am happy, I am so happy to see somehow that they are coming on side and the reality of how we do trade in the greater world. Of course—

Mr Tony Ruprecht (Parkdale): You might learn something new.

The Deputy Speaker: Order. There's so much noise that I can hardly hear the gentleman, the member for Scarborough North, so I would ask you please to refrain from heckling.

2050

Mr Curling: I also know it's rather tempting to speak the truth and rub it very hard like salt in a sore so that they would say, "Ha, it hurts," just like the Tories across here. "It hurts so badly." I could get into a lot of patronization—we patronize things and talk about how they themselves did a lot of patronizing but I don't have time in which to deal with the Tories.

I want to deal with the concurrence of these estimates. This government stands in its place, the minister was standing there for over an hour trying to convince me about the things this government has done, and I tell you she has not done a good job at all. As a matter of fact, she has convinced me that she felt that if I shuts her colleagues out, they will say something like: "How come it has not benefited my territory? How come?" They would have said oh, no, that they sent her with a message to speak as long as possible so that those backbenchers will sit there like obedient servants and they shall not in any way have an opportunity to express themselves. That she has achieved.

Mr Villeneuve: She had to convince them.

Mr Curling: I'm not quite sure she has convinced them. They grumble every day and say: "Oh my golly, isn't this a bad thing that is happening? We want to speak. How come this is the Parliament of debate, the Parliament of free expression, the Parliament of protection, that I can say what I want without being incriminated in any way?" And they say, "You just keep your little mouth shut on the back bench there and just follow what we do."

Let me just go on. As a matter of fact, what comes to mind is that if this government wants to do something efficiently, sometimes the only way to get things done is to put forward a private member's bill. The fact is that sometimes when we do put other bills, complex omnibus bills in, we don't get our opportunity to debate them. So the private members would put forward bills that make so much sense that everyone agrees with them, that all three parties will agree and say, "That makes sense." But the fact is that we are so caught up with our own selves and our importance as ministers that we don't have the time to introduce those little bills. In the meantime, private members will say for themselves, "This is important because it affects hundreds, thousands of people in our province, and do you agree?" So we get that agreement from all three sides.

One that comes to mind readily, and you may be familiar with that one, is Bill 154. Let me just remind the members here—and I know that the Minister of Environment and Energy is listening attentively because he's an honourable man and he would say maybe we should continue Bill 154—it states it's An Act to prohibit the Charging of Fees for the Cashing of Government Cheques. As a matter of fact, look at the coincidence, Mr Speaker. It was your bill in 1985. This was first introduced through the Liberal government, through the Tories. It's almost 10 years now. It's a bill to say to you, and the NDP agreed, that this bill will be passed.

Hon Mr Wildman: You mean it didn't get passed when the Liberals were in power. How come this bill didn't get passed when the Liberals were in power?

Mr Curling: Of course, the Minister of Environment said that while the Liberals were in power they did not pass it. Well, that is so. When you were there, you said that if you were there you would have passed that resolution.

Hon Mr Wildman: We did?

Mr Curling: Yes, and now you are the government, not for one year, not for two years, not for three, not for four. As a matter of fact, they're going to go the full gamut. They're going to go right until five. You still have chances to pass this Bill 154. The member for Carleton would say, "I just hope they will see within themselves before the adjournment of the House," or the House prorogues or we have a recess or whatever we do, just before December 8, because it is in third reading that you would pass that bill. I tell you that if the government is so committed to these things it says yes to, a simple nod in third reading would have made many, many people happy.

You know, in Quebec this type of legislation, this type of thing could not happen. There's no charging of fees for the cashing of government cheques. All that is out. Ontario, this very, very progressive province, does not see fit, although we have legislation that is on the books here to just pass it, to just give it a nod. It is third reading now and I would appeal to you, all the honourable men and women who sit across there, because we are committed on this side to bow to all of that, to say, "Yes, let's get on with it." I've seen you bring bills in here that in two, three, four days they're right through. Just do that. You will let people know you are committed. People will have more confidence in the fact that the government lives up to its word, that government is not a large bureaucracy that strips them of taxes and doesn't give them good service.

They're asking today for concurrence in supply for about 12 ministries. I look at the Ministry of the Solicitor General and Correctional Services. I have visited, with my colleague Bob Callahan, the member for Brampton South, many of the correctional institutes and found many areas wanting. I find that the treatment of inmates at times is questionable, especially in the young offenders. He spoke about one aspect of it, that in many of them who are there, even across in the adult institutions, there's a high rate of functional illiteracy. I think that if we want to put people back or rehabilitate them in there, at least they should be trained or we find out what some of the rationale—we're not saying that because they are lacking in literacy they're in jail, but we say it contributes, somehow it shows a high rate of functional illiteracy there. There is also too high a rate of functional illiteracy within the young offenders.

The fact is that we are asking of this government in some respect that all these young people who are going into these institutions could be assessed before, that as soon as they are apprehended some tests should be given. Now the federal government has decided to do some psychological tests in certain conditions. I think they all should.

More so, the workers in those institutions, the morale is very low.

Mr Mills: No, no.

Mr Curling: The morale in those institutions which I have visited, and I've gotten many letters on my desk and people have come to me, have stated to me and I've seen situations that somehow the fact is that they have been treated badly about promotions; there's racism that

exists in that institution. I can tell my honourable colleague the member for Durham East to go to some of those institutions with me any time and ask the workers and ask the inmates what is the morale there.

The other aspect of it is policing. Of course, we have seen a great tug of war that goes on with policing here and the debate that is almost irrelevant to some of the issues and the bureaucratic fights and struggles in administration. But we have a wonderful police force here, regardless of what people say. I have no doubt and I have no hesitation to stand in this House at any time and say we have an excellent police force.

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Like any other force or any other institution, there are bad eggs. As I speak to many of the police, the chief and other people within the police force, they say they are working very hard to clean that up. Sometimes I feel they're not working hard enough, but again there are bad eggs there. They are hampered by the fact of the commitment, I feel, by this government in how it deals with the police force, and I hope that will change.

As a matter of fact, I have great respect for the Solicitor General. I think he handles himself very well here. I think the task he has ahead of him is enormous, but I still feel there's a lot to be done because we need very strongly, in this great, wonderful country and this great, wonderful province of ours, the fact that we can walk safely in our cities, wherever, out in the rural areas. Wherever they are, we must feel comfortable in our homes, that if we even go to bed at night, we are being secured by this police force, that they are properly armed and properly enforced and properly trained.

Because the challenge that we have before us is a society that has grown so diverse, with many cultures and many interests and many interpretations of how they should live, and laws must be enforced in a proper way so we can have a civil way of living and a safe way of living.

The Ministry of Health: Let me just touch on that quickly. A constituent of mine came to me and sent me documents in the sense that this individual applied to McGill University and the letter stated that McGill refused to accept their application because there was an agreement between the Ontario government and the Quebec government not to accept any Ontario residents to McGill University. Shame.

I think any agreement like that just prohibits them to demonstrate their ability to educate themselves wherever they want across this wonderful, beautiful country of ours, Canada. If I want to study medicine in Newfoundland or law in Nova Scotia or medicine at McGill, I should not be restricted by governments cutting deals to say, "Don't accept our students who want to apply," in this instance, to the faculty of medicine. I think it was wrong for them to do that and I hope the Premier will look at this very seriously and find out what type of agreement was signed in refusing residents of Ontario to apply to the faculty of medicine in McGill.

Of course, maybe they are fearful that with a flood of doctors coming into our province, we are not able to give

them jobs. But how dare they tell them that they want to work in Ontario? Maybe the student would like to do medicine and go and work in Australia or go and work somewhere else, another country in the world, in India, the Caribbean. But oh no, this government has cut a deal, an agreement with the Quebec government not to accept Ontario residents. I can share that document with any member any time and find out what's wrong.

Mr Rosario Marchese (Fort York): Would you repeat that?

Mr Curling: My dear colleague from Fort York said I must repeat that. I would ask you to read the Hansard and I will send you a document on that matter itself.

Ministry of Transportation: Let me just comment quickly on that one. Photo-radar: We heard that photo-radar is there to sort of make the place safer and cut down accidents.

Mr Mills: Nine billion dollars a year it costs.

Mr Curling: There is no evidence that it reduces accidents.

Mr Mills: Nine billion dollars a year in accidents.

Mr Curling: My colleague from Durham West said it's nine—

Mr Mills: Durham East. Nine billion dollars a year—

Mr Curling: You see, it's all about money.

Mr Mills: —in traffic accidents. That's what they cost.

Mr Curling: Again, I see that this itself will not reduce any kind of accidents between. There's no evidence of any reducing of accidents.

I know I could go on longer, maybe for a day or two on these matters of concurrence. My colleague would like to speak, but I want to make sure that I put certain things on record here.

We saw lately that the day care people came to see the government. We'd give them an F for effort in what we have done in regard to day care, and I hope the minister, who is here today, will start taking them rather seriously.

Food banks are growing and evidence exists that in our great city, our great country, if people are lining up for food more and more, people can't afford to buy even food and some restructuring of our policy has got to take place. This same NDP government promised to wipe out food banks.

Of course, what they have done, they yanked Ms Akande, my dear minister at the time, from that position and said: "No, no, no. Don't say that. That was then when we were trying to get elected, but now, no, no, we cannot do that." But the fact remains that people are lining up at food banks daily in order to feed themselves and their families.

Let me touch quickly on Management Board of Cabinet. I had hoped that one day the minister responsible would brief me on this because I am getting a lot of complaints from individuals there that they are bumped out of jobs, they are bought off. People who are 45, 49, are offered to leave the civil service for a year and a half's pay and find later on that their jobs are filled by other people.

Many of these people who are being subjected to this are people in minorities who are telling me that their jobs are gone. People from the Ministry of Transportation have come to me, people from all over the ministries are saying to me, "They are buying me out. They're transferring me here and then my job is gone." All of a sudden someone else gets the job and they're out of a job at age 49 or so.

The Ministry of Housing, one of my favourites: This ministry has come to a point that—

Mr Mammoliti: Weren't you the minister once?

Mr Curling: —some serious reformation must take place. The member for Downsview shouts, was I the minister once?

Mr Mammoliti: Yorkview.

Mr Curling: From Yorkview. My apologies to the member for Downsview. He's talking about I was the minister once, and that itself should explain the utter incompetence of how this government has handled the Ministry of Housing.

We, as you know—and I've stated this many times in the House—are the second-largest landlord in North America.

Mr Mammoliti: Third-largest.

Mr Curling: The second-largest landlord in North America. He doesn't know what he's talking about. There's New York City, and this government is the second-largest landlord in North America. Slum landlords. I will tell you, I will take you to some of those homes and then ask you if you would live there.

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): You were the minister.

Mr Curling: The Premier said I was the minister. Five years ago, I was the minister, five years ago in office, and this Premier has not corrected—as a matter of fact, the place has become more corrupted than it has ever been. He himself had to yank his minister out and talk about incompetence and interference into the system so badly, and he says that it's an explanation because I was the minister in 1985, years ago. But it is all my fault in two and a half years—

Mr Mammoliti: You were the best.

The Acting Speaker (Ms Margaret H. Harrington): Order.

Mr Curling: —all my fault for 1985 to 1987. But you there, who have all the answers to this ministry, have made it a worse place to live. You are a slum landlord. I ask the Premier—maybe he's too busy these days—to go and visit some of those places—

Hon Mr Rae: I've been to a lot of them.

Mr Curling: —and see where these people are living. I wasn't proud either of some of the places I had been to when I was the minister, but of course we put in place a process of correction to make sure things are better off.

Mr Mammoliti: Madam Speaker, he didn't do anything.

The Acting Speaker: The member for Yorkview come to order.

Hon Mr Wildman: The car was in neutral when you were in it.

The Acting Speaker: Order.

Mr Curling: If we measure, if I myself have not done anything, they have done less.

Mr Mammoliti: There was no experience.

Mr Curling: They have done less.

Rent control is in chaos. People are getting 30% increases in rent now, and I'd ask the Minister of Housing to check into those things. I can show you facts where rents have gone up dramatically and are driving people out of the place.

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I'm going to end very quickly because one of my colleagues here would like to speak.

I want to say that a little issue that I have in place is that I had hoped that even the new Minister of Labour, although the concurrence is not there, if they want to do something, if they want to concur in something, this government here had promised a long time ago in regard to employment agencies that are in place that were discriminating, that were practising discrimination outright, that it will put laws in place so that employment agencies do not discriminate on the way they interview people, whether or not they should state in there that employers who are looking at people and saying, "We don't want anyone weighing over so much weight" or "We don't want any blacks" or "We don't want any women"—that this will be against the law. The former Minister of Labour had promised, and I'm going to ask the present Minister of Labour, will she proceed and do the things that the former minister did not do, as they had promised?

So I say to you, to concur on these estimates they have put before us, it is sad, because the people feel that they are not getting value for their money. They feel that this government has swollen so large, it has taxed them so heavily, they themselves feel that the only thing they could do is to throw the whole lot of them out in the next election so that they could get a bit more efficient government.

I want to say that I appreciate the opportunity to express my views. I know somehow it will not change any of the members' views over there, but the people of Ontario who may happen to turn their TVs on will say, "I didn't know all this was happening." I will then ask each of the members there to be accountable for the inefficiency that goes on. Thank you again for allowing me this privilege to speak.

The Acting Speaker: Further debate?

Mr Villeneuve: I also am very pleased to have the honour and privilege of addressing this concurrence in supply—

M. Marchese : En français.

M. Villeneuve : En français, un petit peu tout à l'heure—particularly as it involves the Ministry of Agriculture, Food and Rural Affairs, but also as it will touch any other ministries.

I think I'll start off with possibly replying to the

Minister of Culture, Tourism and Recreation, as she went on with all of the great prosperity we're having here in this province recently. Certainly I made note of the Minister of Finance when he announced this week that we had an almost 5% increase in economic activity, and that's certainly very important.

I was watching Canada AM, as I sometimes do when the political pundits and what have you are on on Thursday mornings, and the economic analysis was, "Thank goodness for free trade, because indeed we are trading"—

Hon Mr Wildman: The Liberals were always in favour of it.

Mr Villeneuve: I'm not sure. I recall a former Premier here by the name of Peterson. A lot of people have forgotten him, but somehow or other in his 1987 campaign—and I recall it well because he was out in rural Ontario—he was going to stop the free trade deal. It was going to destroy the family farms, it was going to totally destroy our economy.

Amazingly, we had a Liberal member who was part of the cabinet at that time who fully endorsed his Premier, but there's been a bit of a flip-flop in the reasoning of the Liberal Party. It happens at all levels within the Liberal Party, because I think the leader of the Liberal Party in Ontario does that from time to time when it suits the occasion. It quite often suits the occasion recently.

However, I will simply address to the Minister of Culture, Tourism and Recreation that in the riding I very proudly represent we have some parks, the parks of the St Lawrence, which have been closed down now for a number of years. Actually we had them to be investigated on the agencies, boards and commissions committee and we're told that because of successor rights this government is not prepared to reopen any of these parks. They're looking at it, looking very seriously, but the parks remain closed, and it's to the detriment of tourism and of the entire economy in the area that I represent. I could name you the parks, but time really doesn't allow it this evening.

Bill 40 is part of the problem. Bill 40 is keeping some of the short-line railways in rural Ontario, in Wellington and in the Simcoes—probably we'll have these railways eventually removed, and again successor rights are directly involved in really bringing down the economy of rural Ontario. I must tell you, Speaker, that some people say the car industry is the most important in Ontario. That's arguable, very arguable, because the food production processing industry, in my humble opinion, is by far the most important in the province of Ontario.

I'm glad to see the Minister of Culture, Tourism and Recreation back. I want to remind her that, as you come into the great province that is slowly recovering from this very deep recession, on the western 401 in my riding at Lancaster there is a tourist information building. A beautiful building, it was built less than 10 years ago. It's very different. Some people say it's not beautiful at all but, as far as I'm concerned, it attracts your attention as you drive in from the province of Quebec, from the eastern seaboard states and from the Maritimes, and that building is now closed.

There is no one there to take bookings for people who want to come to Cornwall, Ottawa, Brockville, Kingston, Belleville, Toronto, Niagara Falls, and I think that's a travesty. The building is there. We should have at least a minimum staff in that building to advise our tourists who need some information, who may need some help, who may want to do some bookings.

Minister, I enjoyed your presentation. It was lengthy, but you covered all of the good things. Well, we have some negatives, and I'm bringing those to your attention because it's very important that the very first tourist information office that we run into coming from anywhere in eastern Canada or the eastern United States is closed down for six months of the year. The building is there. All we need is one or two people to man it, and I don't think that's asking too much.

I would very respectfully ask you to reconsider that, as also to reconsider successor rights on the parks. We have to get those open next year, one way or the other. It is very detrimental to the tourist industry, which is a clean industry. It brings in dollars at no environmental cost. So we must look at that. It's most important.

The parks of the St Lawrence are very positive. We've had some allegations made, but, by and large, it's 98% positive. Allegations were made and they're being investigated now, and I thank you for that. I thank Mr Shaw, the general manager of the parks, for having the inquiries done so that we can clear the air. There's too much positive there to have those small negatives.

That's basically all I'm going to say about the parks. Let's get them open come springtime and let's keep the tourist information bureau at Lancaster, coming into our great province of 11 million people, open for bookings and for information.

Highway 16 is a very interesting phenomenon. I will have been a member of this Legislature, on the 15th of this month, for 11 years and I recall well in my other incarnation, which was doing some real estate appraisal work, doing expropriation work so that the right of way could be purchased by the Ministry of Transportation so that we could twin and four-lane Highway 16.

We've had way more casualties and deaths on that highway than we should. It's a very heavily travelled road. It's the main road from the international bridge at Johnstown to the nation's capital. Pretty well any time I travel on Highway 16, and it's a two-lane road right now, we see situations time and again when there are three vehicles wide. Thank goodness that seldom are there accidents when there are three vehicles wide, amazing as that may seem, but it's a heavily travelled road, a dangerous road.

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The Tories, in the early 1980s, purchased 95%-plus of the land. The land is all purchased and paid for, and the design of the road, the preliminary design was there. In 1985 we had a change of government. A Liberal government came in and they kept telling us that they were going to finish the road. I recall well going to Kemptonville one morning for breakfast and the Minister of Transportation for the Liberal government at that time—1989, they

were getting ready for an election—told us that they had a target date.

What no one seems to understand is that they had a target date but never funded what had to be funded. Yes, they are building overpasses and they are building some of the service roads now, but the funding was never in place. At this particular point in time, with a new Minister of Transportation, we're not sure where we're going and when we'll have the twinning of Highway 16 in its entirety, from the international bridge right through to the nation's capital. I think it's a big priority.

Hon Mr Pouliot: I spent it all.

Mr Villeneuve: The former Minister of Transportation said he spent it all. Well, you certainly didn't spend it in my riding, Mr Minister, and I wish you would have given it some thought.

I go back to Bill 40 just for a moment, with the successor rights for railways and the parks of the St Lawrence. I sometimes listen to Metro Morning, that people's network here in Toronto. Something I heard this morning that kind of shook me is that in the spring, if there is no agreement in major league baseball, the Blue Jays are the only team that will not be able to field a team—

Hon Mr Pouliot: No. Montreal Expos.

Mr Villeneuve: Apparently there's been a decision that Montreal Expos have a similar bill to Bill 40, but they will be able to field a team. The Blue Jays, it's my understanding, will have to go without replacement players. Why? Because of Bill 40. Is the people's network wrong?

Mr Martin: We're not willing to allow scabs in workplaces in this province.

Mr Villeneuve: Well, million-dollar scabs, my friend, is what you're promoting. You're talking about the common, ordinary person. You're talking about million-dollar scabs here.

Bill 40 will prevent replacement ball players, according to the people's network, as I heard it this morning. "Let's make the public pay" is what you're saying. "Let the poor little guy who takes his son or his daughter or his family to the ball game pay. We have no sympathy for him." I think that's wrong.

I see the Minister of Environment sitting here tonight and I appreciate that because the man from Algoma and I have been around here for a long time and we were both on this side of the House for quite some time. He has now graduated to the affluent group, and I give him credit for that.

Hon Mr Wildman: Did you say effluent or affluent?

Mr Villeneuve: I said affluent, but effluent is what this man looks after.

Mr Wiseman: And I want to compost it.

Mr Villeneuve: We in agriculture deal with that too, and that grows you a good crop if you know how to handle it.

It was always interesting that the livestock industry, particularly those who are in dairy cattle, for lack of a better word, those cattle that ruminant tend to, from time

to time, flatulate and they have been accused of creating a major methane problem when indeed we have garbage dumps on some of the best farm land in Ontario, spewing out methane in untold quantities. We have wetlands spewing methane in untold quantities and those emissions from our ruminating cattle are minuscule when we compare it to the entire picture.

I want to just make sure that the record is straight. We have Ontario Hydro apparently doing a study.

Hon Mr Wildman: No, they're not.

Mr Villeneuve: Well, the papers are wrong then.

Hon Mr Wildman: That's right. They're wrong.

Mr Villeneuve: Maybe it's not the first time the papers are wrong, but it was reported and when it's reported we tend—the great masses out there say: "I read it in the paper. It has to be accurate."

Hon Mr Wildman: Don't believe everything you read. Some of it is a lot of hot air.

Mr Villeneuve: The sad thing is that this government with its ideology has eliminated all other possibilities than landfill sites, and we have going on in Stormont, Dundas and Glengarry right now, as I'm sure the member for Durham West will understand, a search for landfill sites.

Now, out in the area that I come from there's a lot of wetlands and a lot of good farm land. Well, we can't bring it to a wetland of course, and they have designated a number of sites and the interesting thing is I had the opportunity of having our new Environmental Commissioner visit eastern Ontario with me and I brought her to a site that to me makes the most sense of all. It's at the corner of Highways 138 and 417, a very large area of organic soil over an impervious clay base, a perfect situation.

That site is not even considered as a potential site, but we have all sorts of people giving me phone calls: "Well, you can't have a garbage landfill site in this area because it borders on a wetland", or, "It's gravelly soil," a number of very good reasons but yet these are potential sites. I'm glad the Minister of Environment is here. Due to very sad circumstances last fall he was unable to come to my riding, but the invitation is still there, and I want him to see what, in my opinion, are the most logical sites for recycling, reusing and those areas that make common sense, just as the Mike Harris common sense approach—

Hon Mr Pouliot: Oh my God, no. You were doing so well. This is serious.

Hon Mr Wildman: Noble, I was going to say I would look into it until you said that.

Mr Villeneuve: This is serious. The former Minister of Transportation, now Minister of Northern Affairs and Mines, is right. This is serious, and the people in my area are up in arms, primarily because the most logical spot of all—and it's not that far from where I live. It's only about five kilometres from where I live, and I agree that it's probably the most logical site of all. But we have the Minister of Natural Resources saying it's partly wetlands but they're not sure because it's farm land, but it has the natural impervious clay base and an organic soil on top which can be mixed in with composted materials and

recycled materials. It's as good as you'll find anywhere, and I suggest to the government that this must be looked at.

As far as agriculture and food is concerned, Premier, you realize that your Minister of Agriculture, Food and now Rural Affairs somehow or other doesn't have the hammer he's supposed to have. First of all, his ministry has been cut down by some 15% funding in the last two years, and you know, Premier, if every ministry had been cut by that much, we wouldn't have a deficit problem.

We have a major deficit problem now. However, had all ministries, and we have quite a few cabinet ministers here tonight, had all ministers had to tighten their belts as did Agriculture, Food and Rural Affairs, the expanded ministry, we would not have—reduce your spending by 15% as the Minister of Ag, Food and Rural Affairs did and we would have no major problem.

Recently there have been stories in the press—and I go back to the labour bill, Bill 91, as it will very negatively affect agriculture—on the fact that there have been abuses. As a matter of fact, charges have been made that a union refused to give examples of names, which has justifiably angered a number of farmers. These accusations, if indeed they are true, why have no charges been laid? If they are false, why has the government not condemned the unions for making false statements?

These statements were made in the farm newspaper Farm and Country. Farm and Country reported that the United Food and Commercial Workers held an organizing meeting on a farm in southwestern Ontario this summer without asking permission or making the owner aware that a meeting was being held. In fact, when the farmer inquired what was taking place, he was actually lied to and told that it was a church meeting, which is always a good excuse.

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Participants at that meeting took photographs and left some behind, allowing union organizers to be recognized. It turns out one of them was Ralph Ortlieb, a union rep chosen by this government to put together Bill 91. The government has done nothing to investigate this or lay charges against this union.

During this session, which has 20 days of sitting—and indeed the last five, the first of which is tonight, we can and will go till midnight; at least it looks that way—because the government claims to have no business to do, and yet we're going to midnight tonight, where are the amendments to the Ontario Food Terminal Act that the committee reviewing agencies, boards and commissions has recommended?

More importantly, where is the agricultural diversification act that will give the Ministry of Agriculture, Food and Rural Affairs the mandate to take the lead in promoting an expansion of agricultural activities? Why has the government not made Agriculture, Food and Rural Affairs the lead ministry for agriculture, food and those areas of rural Ontario? That's what it's supposed to be, the lead ministry. But we find out that Municipal Affairs takes priority, the environmental ministry takes priority. We have numerous ministries taking priority over what

should be the lead ministry: Agriculture, Food and Rural Affairs.

Has any work been done to draft amendments strengthening the Farm Practices Protection Act, better known to farmers as the right to farm? Recently there was a report, again in Farm and Country, that in Russell township, just north of where I reside, the municipality passed a bylaw banning the piling of straw or hay within 50 metres of a highway and within 100 metres of a neighbour's building. That's pushing it a little bit far.

Ontario's wine industry has improved tremendously, part of it due to free trade because they indeed had to improve the quality, they did it quicker, and we now have a wine industry that we can stand up and be very proud of. It has been a success story, but it continues to face very high taxes and very difficult competition from other wine-producing areas. Given the expanded mandate of the ministry, why has Agriculture, Food and Rural Affairs not addressed this problem? They are farmers as well.

The issue related to rural affairs is a very important one, because it was interesting that the government announced with a great deal of fanfare that Agriculture and Food would be expanded to include Rural Affairs, but instead of additional funds, it got less, which is not quite the normal way of doing things if you're going to give more responsibility, or is it simply political correctness?

The minister says he's had a mandate to comment more on what other ministries are doing, but he is never the lead minister. If Agriculture, Food and Rural Affairs is now supposed to comment on government actions which affect rural Ontario, well, what comments has that same ministry made on the wetlands policy, for instance, the loss of the managed forest tax rebate, firearms legislation, Bill 162 and numerous others, Bill 163?

On a more positive side, the minister was right to criticize the federal Liberal refusal to act on ethanol, and this is where I give the Bob Rae government a great deal of credit, because they have been the lead ministry and they've actually put their money where their mouth was on the ethanol industry.

I do know that at the federal level we have many backbenchers, many of whom are Liberals in Ontario, who were very vocal about reducing the road tax on the ethanol portion of that litre of gas. They have somehow been silenced. Imagine: 98 out of 99 in Ontario, Jean Chrétien Liberals who have openly supported ethanol production here in Ontario, are not hitting the headlines very publicly these days. I must again give credit to the Bob Rae government for acting the way it said it would.

Review of regulations and legislation: During a brief to cabinet last February, the president of the Ontario Federation of Agriculture, Mr Roger George, made reference to regulations which made no sense but which resulted in lost time and money to the agricultural community, not to mention tax dollars regarding administration costs. The Premier seemed to give a fairly strong commitment to reviewing and scrapping frivolous and unnecessary regulations.

We have yet to see anything concrete from Agriculture,

Food and Rural Affairs to show that other ministries have a reduced influence in what should be the lead ministry to Agriculture, Food and Rural Affairs. Municipal Affairs, Environment and Energy, whatever, Rural Affairs covers all of rural Ontario, and the name "Agriculture, Food" and expanded into "Rural Affairs" should indeed be that, covering rural matters and rural affairs.

There is evidence to show that we may not need the Artificial Insemination of Livestock Act. This again touches rural affairs, agriculture and food production. These days, do we really need a system to license technicians and to ensure adequate training? Farmers are doing that themselves these days, many of them.

I've touched on railway successor rights and minimum wages. The minimum wage for rural Ontario could well put a lot of people out of business or totally and thoroughly mechanize rural Ontario, where indeed farm labour would be reduced and reduced again. I realize that to some people the minimum wage is a very low wage, and indeed it is. However, when people are in the food production business and have no say in what they get for their product, an increase in minimum wage can be the straw that breaks the camel's back. The minister has not been all that supportive in protecting agriculture in that particular area.

I notice that my colleagues would like me to stop. I think I'm covering the way things should be. However, it's always interesting, particularly when the Premier and a number of his ministers are here—

Hon Mr Wildman: We came because we knew you were speaking.

Mr Villeneuve: Quite obviously. It's hard to be humble when you're from the farm. It's not too often we get a chance to speak here, because we are limited in time quite often.

Has the ministry monitored and measured the degree to which farmers have been spending money on conservation equipment since the land stewardship program, which was an excellent program and I know was supported by the now government when in opposition? The land stewardship program now no longer has funding. I think that's a travesty.

Finally, I want to simply state that if we continue to dismantle and reduce the importance of agriculture, food production and rural matters in this Legislature, we—we're all consumers—will be the ones to suffer.

I am finishing, but I do want the Premier, and I thank him for being here, to give his Minister of Agriculture, Food and Rural Affairs a bigger hammer in order to get the attention of the rest of his cabinet, because that is the most important ministry and yet it deals with less than 1% of the budget.

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The Acting Speaker: Further debate?

Hon Mr Rae: It's a great pleasure for me to participate in the debate and to follow two good friends of mine in the House whom I've known for a long time: the member for Scarborough North, who spoke at some length, and I want to respond to some of his comments and then to respond to the remarks made by my good

friend from Stormont, Dundas, Glengarry and East Grenville. I must say his riding has one of the longest names, which I think is fitting for one of the finest parts of the province.

Let me just say in response to the member for Scarborough North, and I'm sorry he's left the chamber having delivered himself of his oration, that as I understand it, basically as I heard it, he was complaining about a couple of things. The first one had to do with a situation involving medical students across the country, and the second one had to do with the ministry with which he was associated for many, many, many, many years, the Ministry of Housing.

Hon Mr Wildman: He also said the Liberals were in favour of free trade.

Hon Mr Rae: I understand he also delivered himself of the stunning perception that the Liberal Party had in fact always been in favour of free trade. The trouble with that is that some of us have a very long memory. I've been in this House for 12 years and some of my colleagues have been here for even longer, and we have some memory, in the musical chairs which we've played in the Legislature since 1985, of where different members of us have sat and things that have been said in different times.

On that subject, I can recall vividly the 1987 general election campaign, when the Liberal Party radio ads were a direct assault on the free trade agreement and where David Peterson promised the people of the province that if the following things were not there, "There will be no deal."

Hon Mr Pouliot: No, not on that night.

Hon Mr Rae: My colleague from Nipigon with whom I've been friends for longer than either of us care to remember has the same memory, the same vivid recollection. No doubt he was driving probably on a distant highway from Schreiber to Marathon, hearing these radio ads late at night as he was struggling to canvass, and heard this clarion call of opposition to free trade.

Now I hear from the member for Scarborough North that in fact the Liberal Party has always been in favour of free trade. What was that in 1987? Was that an aberration? Was that an apparition? Was that a figment of our imagination? Was the member from Nipigon, the Minister of Northern Development and Mines, hallucinating as he travelled on that northern highway late at night and heard across the crystal airwaves that clear and clarion voice—and I can remember it; it was a deep voice—"If...there will be no deal"?

That was the campaign that David Peterson ran in 1987. The fact that he was unable to do any of the things he said he was going to be able to do and that he abjectly failed to protect the interests of this province at that time was what helped to contribute to the major recession which we started to suffer in 1989.

The fact that we started to suffer from that recession in 1989 is why his leader, some two years and 10 months into a mandate in which he'd received the largest majority in Ontario history, decided even that was not strong enough a base of security for him. Even a 70-seat

majority in the Legislature was not a big enough cushion for Mr Peterson, so he had the wisdom and good sense and foresight to call an election some two years and 10 months into the largest mandate ever received by a government in this province and proceeded to squander it and throw it away.

So I can quite understand why the member for Scarborough North would be trying not only to rewrite history but to literally re-create it in his own mind and then to inflict that apparition on a Legislature at 9:30 or 10 o'clock in the evening. But I could not let that comment pass without a response.

The second point I heard from the member had to do with the question of medical school enrolment. There are Liberal governments in many provinces, and I understand that the Premier of Nova Scotia, who is a Liberal and someone I know quite well and have worked with very closely, Dr Savage, a medical doctor himself, even spoke at the nomination meeting for the Leader of the Opposition, or a fund-raiser of some kind, in Thunder Bay on the weekend. He is so close a colleague of the Leader of the Opposition that he attended in Thunder Bay.

The reason I know that is not because of any extraordinary intelligence on my part; it's because he had the courtesy to phone me and say, "By the way, I'm going to be speaking at your opponent's meeting and I hope you don't mind," to which I said, "No, of course I don't mind." I've spoken at many meetings on behalf of Alexa McDonough, who is a very fine person who is now retiring from public life and has made a tremendous contribution to the public life of the province. Since I've done that on a number of occasions, I could hardly object when Dr Savage comes to Ontario.

But the reason I raise his name, and the name of Frank McKenna—does that name ring a bell at all?—Catherine Callbeck, Clyde Wells: These are all leaders of governments in Atlantic Canada. In western Canada we have Conservative governments in some cases and New Democrat governments in some cases.

My colleague from the Beaches riding, who is now the Minister of Economic Development and Trade, was the Minister of Health, and she's very well acquainted with the fact that there was a general agreement among all governments—not one government, not two governments, not five governments, not a PQ government and an NDP government, not the government of Ontario and the government of Quebec, but among all governments, including Liberal administrations—which took place under the leadership of the Conservative government originally in Ottawa and has been fully and totally endorsed by the federal Minister of Health, who is the member of Parliament for Sudbury. There was a general agreement that the number of people in medical school and the size of medical schools had overall to be controlled, because we came up with a very basic discovery.

The member opposite, after he was no longer in the cabinet, was the parliamentary assistant to the Premier, was part of the Premier's Council on Health Strategy, and he knows perfectly well that when the Premier's council on health was established, one of the first things it was asked to do was to say what are the causes of good

health and bad health, and what it is that contributes to the expansion of the cost of the health care system.

This is something which, if the member opposite ever happens to get over on this side again—and I have no idea whether the vagaries of history or the changes in public opinion or indeed a change in mind on the part of the honourable member will cause that kind of geographical change to take place. I don't know that; none of us knows that. But what I do know is that if that honourable member were the Minister of Health representing the government of the people of Ontario, he would be placed in precisely the same position of having to come up with some decisions. Have we reduced the number of students going to medical school at the University of Toronto? Yes, we have.

We have had to do that, not because there's some ideological mission being pursued by members of this government or of this party but because there's a general understanding among ministers of health and among governments in Canada, at the federal level and at the provincial level, shared by every single provincial government regardless of stripe, that it's one of the most important things that affects the cost of your medical care system, and we've all agreed it's something we've got to do something about.

When you're in opposition you promise an MRI machine on every street corner, and when you're in opposition you promise unlimited access to everything that's ever available, and we saw the implications of that when you were in government. That was the roller-coaster you had us on which we had to do something about when we took office in 1990. When we had 11% increases in a budget of \$15 billion that was mounting at the pace of \$1.5 billion to \$2 billion every single year, and we were heading into the most serious recession we've faced since the 1930s, any administration in its right senses would have to deal with the problem of health care. You can't deal with the problem of government expenditure if you're not prepared to deal with the biggest expenditure item in the budget.

2150

For every single administration in this country, whether it's a New Democratic Party administration, as it is in British Columbia and Saskatchewan, whether it's a Liberal administration, as it is in the four Atlantic provinces and at the federal level, whether it's a Tory administration, as it is in the other provinces, or the PQ or the Liberals in Quebec, it doesn't matter: The fundamental fact is that these are costs which have to be managed and managed effectively.

You can deal in all the demagoguery you want, as the Leader of the Opposition specializes in with the questions she asks in this House; she can deal with all the negativity she wants, which is so out of keeping with the mood of the country and so out of keeping with the growing mood in this province; she can indulge in that kind of negative rhetoric and constant carping and complaining and always looking at the darkest side of every issue, never looking even for the silver lining but always looking for the cloud that's there and raining on the parade every step of the way.

Mr Ruprecht: You have a short memory. She didn't say that.

Hon Mr Rae: She may choose to do that and the leader of the member for Scarborough North may choose to do that, and the member for Parkdale, who is heckling so vociferously, may choose to do that as well. I do not think that's a view that's shared. I think the people of this province want efficient and fair and effective administration.

Finally, the member from Scarborough raised the issues of housing. We take these issues very seriously. We have tackled the question of the administration of MTHA in a way you never did. The only way you tackled the issue of MTHA was to fire John Sewell. That was your contribution. That was your contribution because he identified a problem and he was preparing to do something about it, and you said: "No, let's get rid of that. That's going to cause too many problems." That was your contribution.

I want to say to my colleague for S-D-G & East Grenville that I take his comments very seriously. I made three visits to his riding when he was running in a by-election in 1983. I remember it vividly because I visited the riding three times and I think we ended up with 3% of the vote. If only I'd gone in 15 times, we might have gotten our deposit back—or, alternatively, it would have had a negative result; I'm not sure which. But it was one of the darker moments of my early political career in the province and I survived that, and I suspect that helped to build my character, the night I got that election result and had to face the media.

The comments the honourable member makes on two issues are of particular concern to me personally and of concern to the government, and I want to respond to both of them. The first has to do with the question of Highway 417.

Mr Villeneuve: It's 416.

Hon Mr Rae: I can only say to the honourable member that we have made more progress in the construction of a completed Highway 416 than any other administration in the history of the province. Other governments promised and said they would do certain things and promised they would do this. Our approach, I admit, has been gradualist. We've started from the north, we've come steadily down, we're four-laning it, we're building it steadily kilometre after kilometre and we're making enormous progress. We've already spent substantial sums of money.

The federal government said, "Let's build the highway, and we'll contribute to it," and I said: "That'd be great. We'd be more than happy to receive it. Liberal cheques? We'll take them." This province hasn't had very many Liberal cheques. We didn't have very many Tory cheques. We've faced more discrimination in this area than any other part of the country, and that discrimination has continued despite the fact that there are now, as I count it, 97 members of the red army chorus in Ottawa from the province of Ontario.

I've said all along to those people, to the ministers responsible, and our ministers have communicated: "If

you have a plan that will provide for the cofunding, or you're prepared to come in with us for the cofunding of Highway 416 from the south, then let us know. We're ready to go." We've got the plans. Much of the environmental work has been done. We're doing the pre-grading work and all the other planning work that's necessary. Most of the expropriations required are well under way. I see the former minister is nodding very effectively, and the current minister is nodding. Neither of them is asleep at this point; I want to say that for the record.

I can tell the honourable member that this is a highway that is of great interest to me personally. I think eastern Ontario does require a focus from any government in this province. It certainly has it from this government, and we are very determined to work in cooperation with the federal government. I say to them that there are lots of examples where they have entered into co-agreements: In New Brunswick, in Nova Scotia, in the province of Quebec they have entered into agreements for the construction of four-lane highways, and we are more than prepared to enter into such an agreement for the construction of Highway 416.

For the Liberal Party, it was something they announced they wanted to do during an election campaign, and it was something they announced they wanted to do in going after this government and even in going after, personally, this Premier. Can you imagine the Liberal Party doing that? After all we've done for the Liberal Party over the years, I find it hard to countenance.

But I would say I'm prepared, and I say this publicly and I say this to the member—we are still looking at how this can be done. We've talked about the possibility of proposals for tolling, seeing whether that's a possibility. We know there are conflicting views within various communities on that subject. But we don't have an ideological view on this, we have a practical view. We want to get the highway built.

Much talk has been made about what the Liberals and Tories would do for jobs. We are completing Highway 407 17 years ahead of schedule. There are 20,000 jobs being created over the next five years because of our determination to find a practical solution, and we have done it in a way that we think is going to make a major difference.

I just want to say to the honourable member that I'm listening to what he's saying about Highway 416 very, very carefully, and I continue to want to have a dialogue with local leaders as well as with the federal government on how we can make progress not just coming down from the north, as we have been, but coming up from the St Lawrence as well, because I think that's extremely important.

The second thing the member was talking about was the Ministry of Agriculture, Food and Rural Affairs. I wanted to take this opportunity to say to this group of distinguished individuals what I had the opportunity to say the other night in Marmora and what I had the opportunity to say the other night during the debate I had with the leader of the third party and the Leader of the Opposition in front of the Ontario Federation of Agriculture.

I've had leaders of the farm community I've known for

many years, in opposition and in government, come up to me—and they're not New Democrats; the member for S-D-G & East Grenville knows who they are—come up to me and say, "Elmer Buchanan is the best Minister of Agriculture, Food and Rural Affairs we have ever, ever had, bar none."

Mr Villeneuve: They say the best minister we've ever had was Bill Stewart.

Hon Mr Rae: It's interesting. A fellow said to me, "We used to say he was the best minister since Bill Stewart." All of us who know of the reputation of Bill Stewart and what he did for agriculture, what he did for supply and management, what he did to get the province's farmers clearly in a modern context, know how much the whole structure of modern agriculture owes to Bill Stewart. The interesting thing is that they used to say, "He's the best minister since Bill Stewart"; now they just say, "He's the best minister we've ever had, bar none." I mean to take nothing away from any other minister, but I do want to say that.

The honourable member has been repeating the canard propounded by the leader of the third party and the Leader of the Opposition the other day in the debate: "We all know Elmer's a great guy, but we've got to get at some other ministries, so we'll attack the Ministry of Environment or we'll attack the Ministry of Natural Resources or we'll attack some other ministry that's taking away from the power and influence of the Minister of Agriculture." I mean to take away nothing from any of my colleagues, many of whom are faithfully here this evening and listening to this debate. I mean to take nothing away from any of them except to say that when the Minister of Agriculture speaks to me, as he does almost every day, I listen and the government listens and the cabinet listens. There is no minister who has more influence on this government and on the direction of this caucus than my colleague the Minister of Agriculture, Food and Rural Affairs. He is an outstanding minister.

2200

Then the other argument they make is, "Oh, but the budget of the ministry has been cut." Well, this is from the party that is telling the people of the province that government is spending too much money and they're going to cut the budgets of the government by 20%.

Interjection: Slash and burn.

Hon Mr Rae: And slash and burn. They're going to cut everything by 20%. The \$6-billion disappearing budget is going to come forward from the Tory party. When we cut, over a period of three or four years, not by cutting programs, the support for—

Mr Villeneuve: Oh, yes.

Hon Mr Rae: No, it hasn't. The need for some programs has declined because the number of bankruptcies has declined, because the amount of farm support required has gone down because prices are up and because price supports are firmer. But when it comes to support for the average farmer, I would say to the honourable member, our support over the last three years has matched and bettered that provided by any other government in the history of the province.

Where we have cut—and I make no apologies for this, and if the member for S-D-G & East Grenville were consistent and if he really wanted to be fairminded and if he really wanted to practise the conservatism which his leader occasionally preaches, he would be the first to say that it's the costs of administration that have to be reduced. Instead of which, what do we hear from these Conservatives? What do they say? Well, the member for Nipissing, the member from North Bay, goes to the farmers and he says: "You will not be cut. Agriculture won't be cut. No, it won't be cut." No, no, but let's listen to this consistency. Then he goes to the doctors—he's having another health care meeting in Ottawa tomorrow—and he's not talking about cuts; he's talking about levies. "Take my Chevy to the levy." There's going to be another \$500- or \$600-million tax imposed by the Taxfighter, another tax imposed, only he says: "No, it's not a tax. Oh, no, no, no. It's a levy."

Well, forgive me. I don't know. Where have I erred? It's not a tax; it's a levy. So the Taxfighter is the levy builder. Let me tell you, it won't work. It won't wash. The people of the province can see through it, and they'll see through it as soon as they hear more and more clearly about what these options are.

Yes, we've reduced health care, we restrict health care budgets in a very fairminded way. And now we've done such a good job of doing that that we've been able to put more money into cancer. Thanks to leadership from people like the member for Durham East and the Minister of Health, we're putting more money into bone marrow transplants, more money into dialysis, more money into community health, more money into mental health, and we're controlling the costs of the health care system. Now we've found that we've finally got enough room to manoeuvre that we can do what we wanted to do four years ago, and that is to have a plan for those people who were affected by the high cost of drugs, and that plan will be in place in 1995.

How have we managed to do that? Under the Liberals, the cost of government and the cost of public administration grew by 35%. Under the New Democratic Party, they've come down by 25%. We've cut all aspects of the administration of government. We've reduced the civil service by nearly 5,000 positions. We've kept a handle and a lid on public expenditures at the same time as we have refused to engage in the kind of slash and burn that's been advocated by the Republican Party on the opposite side.

Mr David Turnbull (York Mills): What a load of drivel. Do you remember this tripe, this lot that you gave in the last election?

The Acting Speaker: Order.

Hon Mr Rae: The dulcet tones from the member for York Mills—I know the member for York Mills. He's the fellow who attacks housing programs every day of the week, yet every time we open a Jobs Ontario Homes project in his riding he is right up there on the platform saying what a wonderful day it is and what a fine occasion it is, what a great moment it is, what a great time it is.

Mr Turnbull: On a point of order, Madam Speaker:

The Premier will be well aware that I welcome the constituents in the York Mills riding. I don't welcome the Premier's silly Jobs Ontario programs.

The Acting Speaker: That is not a point of order. The Premier may resume his comments.

Hon Mr Rae: If the member for York Mills gets re-elected, he will understand that if you're going to dish it out, you've got to be able to take it. That's one of the prices of admission to this place.

I say to my colleagues opposite, you cannot suck and blow at the same time. You can't do it. I say the same thing to my friends in the Liberal Party, because they do it as well. Every single proposal that's been put forward by this government which calls for a reduction in expenditure is resisted by the opposition parties. Every time we reduce expenditure—if, for example, we follow the advice of the business community, we follow the advice of the Canadian Exporters' Association, we follow the advice of the chamber of commerce, we follow the advice of the Canadian Manufacturers' Association and we say, "Okay, we're going to cut out our foreign offices and we're going to cooperate more with the federal government, we're going to cooperate more with the accounting firms and with the law firms and we're going to create an investor service"—who were the first to criticize us and say, "As soon as we're elected we're going to build more flags, have more limousines and make sure that we've got more bricks and mortar in Germany and France and everywhere else"? It's the Liberals and the Tories who say that's the kind of approach they're going to take.

I say with pride to the constituents, the people of the province of Ontario, we're not going to do that. We're not going to give into these silly edifice complexes which affect the members opposite. We're not going to concede to these things. We're going to keep on a steady and sensible and balanced path. This is the balanced path that's going to be taken by the New Democratic Party government.

Mr Turnbull: Well, they're still not going to elect you no matter what the rhetoric is, because they remember all of the tripe you said.

The Acting Speaker: Order, the member for York Mills.

Hon Mr Rae: I want to say in all seriousness to the honourable member, I think there are issues that he's raised with respect to regulation, I think there are issues that he's raised with respect to what the impact of government is in many cases on working people and on working businesses, and I think we have to deal with these issues and deal with them in an effective and constructive way. We're doing it. We're clearing the path. We're working closely with ministries, with businesses and with farmers to see how we can do it. We're setting up task forces that are having that effect. We're bringing in regulatory and administrative change which is simplifying government and making it clearer and making it better.

I know the members opposite are so enraptured by their own negativity and so cocooned by their own sense of doom and gloom that they are incapable of seeing the

sun has risen, the recovery is here, the future is bright, and that's the message we have for the people of Canada and for the people of Ontario.

The Acting Speaker: I thank the Premier for his remarks. Further debate?

Mr Turnbull: On a point of order, Madam Speaker: I would request that the Premier would stay around. He's good at dishing it out but he doesn't like to take the answers when we get a chance to speak.

The Acting Speaker: That's certainly not a point of order. Would the member take his seat.

Mr Turnbull: Is he going to stick around for the response to the utter drivel that he's just issued?

The Acting Speaker: Order. We would like to proceed with further debate on this concurrence motion. I now recognize the member for Parkdale.

Mr Ruprecht: I have just come from the Parkdale riding, where we erected a Christmas tree, and indeed Santa Claus came by and gave some kids some presents. So we want to be somewhat charitable today, and especially as the Premier is here.

But it really surprises me when the Premier speaks in very sanctimonious tones about sucking and blowing at the same time. I think that if there is an expert at doing that, not only when he was in opposition but even now when he's in government, there is today from the Premier's own voice coming a lot of hot air that has escaped there. One can only shake one's head when one considers what's taking place here.

2210

Let's look at some of the facts. One of the basic statements, I guess, that one has to make in this Legislature is—and that's obviously going to be the major criticism of the NDP—has this Premier and has this government produced the kind of atmosphere and climate for growth in Ontario? Essentially, that has to be the basic question. Has this Premier provided enough leadership and this government provided enough leadership so that this province can continue as it has previously in terms of creating jobs and certainly employment and to maintain the good life that all of us have become accustomed to? The answer to the question of whether the government has created a climate for growth is obvious. The answer to that is obvious, and that is, it has not.

One of the realities is that the current government will pass a debt of \$90 billion to whichever party forms the next government. When the Premier says, "Well, just in case the roles will be reversed, then of course we'll find out what the opposition is going to be doing," we must remember that the debt is going to be \$90 billion, and that obviously will place such a limitation on the next government that it will be very hard to make the necessary changes that will be required to produce new policies and to bring this economy back on track.

Ninety billion dollars, Madam Speaker. That is an incredible sum. So when the Premier gets up—and God bless him, he didn't do everything wrong. But essentially to produce and provide \$90 billion to the next government, whoever that's going to be, and hopefully it will be us, is something that's almost unconscionable because it

will put concrete on our feet and the next people who will be in government will not be able to walk.

Ninety billion dollars. I mean, think about it. That would mean that every woman, man and child is weighed down with enough debt to not only make this generation shake its head, but to think of what we will do to our kids and the next generation that's going to follow us.

It is true that there has been a recession. It is also true that we cannot blame everything on this government; we can't blame the recession on this government. But when the Premier talks about making the tough decisions, which he likes to talk about all the time—he says, "We have made the tough decisions, the NDP government, and if it wouldn't have been for us who are making these tough decisions, the other guys would have made the wrong decisions." Well, Mr Premier, it is exactly the opposite. When the Premier says, "We make the tough decisions," what's the truth? The truth is he's made the wrong decisions. All of you who are part of this government, who are making some of these decisions or helping to make these decisions, were not tough enough and strong enough to stop him from making the wrong decisions.

Now, what were some of these wrong decisions? Let's look at some of them. Today in this province there are half a million workers unemployed. Again, when we look at Metro specifically, we find that here in Toronto alone—do you know what the unemployment statistics are now? Do you know what they are?

Interjections.

The Acting Speaker: We would like to be able to hear the member who has the floor and is speaking.

Mr Ruprecht: In Toronto alone, there are over 200,000 people unemployed. Can you imagine that? Two hundred thousand people. That number alone is larger than many of our cities in Ontario. Two hundred thousand people unemployed.

Of course, what has the NDP created to counter that and to try to create new employment? They've said, "Well, we've got to have Jobs Ontario." The facts speak for themselves, and what is the fact? The fact is that the climate of growth that needs to be created by Ontarians today to ensure that industry is coming in and not leaving obviously has not been accomplished. So if we blame this NDP government for anything, we cannot blame it for specific decisions, although there may be many. Essentially, the crux of the failure of this government has been to fail us in creating an economic climate that will bring back those industries and those corporations that have left for one reason only, and what is that? Because of this NDP government.

Yes, you talk to the financial community, you speak to business people, and what do they come up with? They come up with one overriding fact, and what's that? "We're leaving, we're not creating employment, we're not expanding," and why? Because this NDP government has been a job killer and has not been beneficial to our community. That is one of the reasons.

Interjections.

Mr Ruprecht: Some of you who are sitting here

today are saying, "Well, cut this crap," I must tell you that you are out of touch with those people who are making financial decisions in Ontario. If you were talking to them directly, you would find out—

Hon Mr Rae: I talk to them every day.

Mr Ruprecht: If you talk to them, you'll find out that the confidence they have in you is not the best.

Hon Mr Rae: You don't know what you're talking about.

Mr Ruprecht: I don't know what I'm talking about? Sure, I don't. Bob, I mean Mr Premier—

The Acting Speaker: Please address your remarks to the Chair.

Mr Ruprecht: All of Ontario is shouting out that what we need to do is to have a change of government, and that is obvious. While I agree, while I want to be charitable—and I have heard the Premier speak on very many occasions. He's very eloquent, and the Premier thinks today that he is going to change a lot of people's minds because of his eloquence, but the Premier's not going to change a lot of people's minds because of his eloquence. The fact is that he's one of the most eloquent people we know. When he speaks, people listen. There's no doubt about that.

But the point essentially is—and this is nothing to do with gloom and doom, this is nothing to do with negativity. People are saying today, "We need a change because we need a different economic climate." The confidence is not there. You can do many different things right now in the last few months before the next election comes up. You've got to do it. The Premier in all his eloquence has got to do something else. The past, the last four years, has created such a climate that it's going to be very tough to make economic changes.

I remind you that there are right now more than 1.3 million people on welfare, hundreds of thousands in our community. That's another enormous amount of persons who obviously have to do some suffering.

It is true that Bob Rae and his NDP policies did not cause the global recession. We've said that, but look at the enormous damage they've caused this province. In Ontario and in Metro, the recession has hit even harder than in the rest of the country. You see that there is economic recovery taking place in many different places, but I must tell you that the recession here has hit a lot harder, it cut a lot deeper and now we know with this government that it lasted a lot longer than in any part of Canada, from coast to coast.

Yes, right here in Metro Toronto, what's been accomplished? What's the accomplishment been? The NDP is killing the golden goose, and we all know that business is downsizing and relocating and even many of the companies are simply disappearing.

Over the past four years, Ontario has built the highest per capita deficit of any province in this country. Can you imagine that? From coast to coast, of any of the provinces, this deficit is the highest in the country that the NDP government has produced.

Mr Drummond White (Durham Centre): What have you done?

Mr Ruprecht: What have we done? We know what the facts are, my friend, and what are the facts? The facts were we had a balanced budget in our last year of this government. We had a balanced budget, and you know what? In the first year—

Interjections.

The Acting Speaker: Order.

Mr Ruprecht: In the first year, I remind you, what did you accomplish? Do you know what you accomplished? You dumped this province into an economic recession that is even worse than it normally would have been by creating a \$10-billion shortfall, a debt of \$10 billion. That's unheard of.

No government in the history of this country has created in one year—thinking about our population base—a debt of \$10 billion. When are you going to pay that off? The next year? What has the NDP then done in the next year of its budgetary affairs? What has it done?

Mr Turnbull: On a point of order, Madam Speaker: It seems to me when we're talking about these important dispositions of the province that we should have a quorum and that the government should have its members here to hear what the opposition has to say about its misdeeds.

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The Acting Speaker: Would the clerk please determine if a quorum is present.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The member for Parkdale may resume his remarks.

Mr Ruprecht: I was just about to say that in the past four years, Ontario has built the highest per capita deficit of any province in this country. Now we have the dubious distinction of being the largest non-sovereign borrower in the world. Can you imagine that? We are the largest non-sovereign borrower in the world, in the whole globe. We're not talking here simply about comparing our province of Ontario with Manitoba or with Newfoundland or with British Columbia or Quebec or any other part of this country. No. We've become the largest non-sovereign borrower in the world.

You should ask yourself, what is the Premier going to say about that, that we have in this province become the largest non-sovereign borrower in the whole world? I would really be happy to find out what the answer here would be.

In the first year there was a \$10-billion debt. Think about it. These numbers are so vast and so large that it's very hard even to comprehend what that means for your debt, for my debt and the debt for the next generation. What would that mean in terms of \$90 billion now? What would that mean in terms of weighing down the next government that's going to take over here and limiting, obviously, that aspect of it?

Premier Bob Rae likes to look back and say—I have

said this to him earlier—"My friends, we have made the tough decisions," but let's face it, these tough decisions were in many cases the wrong decisions. What were they? The NDP spent its way to a \$10-billion deficit in the first year in office and then tried to fix it with a \$4-billion tax grab.

That wasn't a tough decision, was it, Mr Premier? That was a wrong decision. When they passed the job-killing amendments to the Labour Relations Act, that wasn't a tough decision, that was a wrong decision. When they shut down all of Ontario's international trade offices—I know he mentioned that earlier—in the midst of the toughest global competition the world has ever seen, was that a tough decision? It was a wrong decision.

In a world right now where business investments and corporations we know can shift from country to country—is this true? They can virtually go anywhere. Money transgresses borders within seconds, companies move from one state to another state to another country within days, so it can go anywhere and it can go quickly, and this government has given those corporations too many reasons to go anywhere but here in Ontario. We want them to be here.

While others are experiencing a boom, it forces us to go cap in hand. I know the Premier went to China and I know the Prime Minister organized the trip, but isn't it galling to think that we've got to go to China and to other places, the four tigers of the east or the one tiger of the south? If we go to Latin America and other places, there is an economic boom. Why is there an economic boom? It's simple. Because the government in those places has produced and was able to envelop the business community to such a degree that there was movement, there was confidence and there was no negativity.

It is galling for me and I know for every one of you to think that our Premier and our Prime Minister have to go cap in hand to those places in the world that experience a boom to try to make a deal with them. Sure, there's international trade, and we would certainly welcome that. We've always done that. Canada has been a trading nation, especially when we look at the north-south relationship, there's no doubt about that, but now we've got to go abroad when what was the fact before? Previously we had an economic boom, they came to us; now we've got to go to them.

That obviously has to be countered by what we would think are governmental policies which could rectify our economic spiral downward, and that's what we're expecting here today. We have the schools and we have the people; we have the infrastructure services; we have the intelligence, but what we need is a government to create confidence so we in Ontario as well can experience an economic boom. That is necessary and that is what this Premier unfortunately fails to understand.

Let me simply say something about the comments that were made by the member from East Grenville. He said: "Oh yes, the Conservative Leader, Mr Harris, believes of course he can do better than our colleagues across the aisle," and we'll find all of these things in The Common Sense Revolution. The Premier alluded to this earlier and of course that is where we are in agreement with him

when he says that Mr Harris's program says: "We predict a 25% slower growth rate than the NDP." Wow, here is a common sense revolutionary document that promises a 25% lower growth rate.

When someone tells us that he can deliver even less in terms of economic growth than the NDP, by golly that's a record; that's unbelievable. That is so different for me to understand that I can't quite fathom it. I have to look at this economic revolutionary document for a long time to try to understand how 25% slower growth rate can be established than even the NDP can produce. The strangest thing is that Mr Harris's numbers simply don't add up. He claims that even with 25% slower growth rate, he can produce—guess what—25% more jobs. How in the heck is he going to do that? With a growth rate of 25% less than the NDP, he's going to produce 25% higher growth rate in jobs. Wow. That takes some professor to figure that out. Some eggheads have sat down together to work out that incongruous document.

It is unbelievably contradictory that even the member for Etobicoke West can't understand it. It is really unbelievable how that document can see the light of day and how he can sit there and try to argue that this is going to cause a 25% increase in jobs. I really find this quite surprising and I know, looking across the aisle, many of you are going like this with your heads thinking that you agree with that fact.

The question is, how can he do that 25% increase in jobs? Well, let's make some quotes. According to the chief economic forecast at DRI, the leader in the forecasting field, he says: "That's quite impossible."

The Conservative Leader says he can cut personal income taxes by 30%. Wow. He's going to cut income taxes by 30%. Did you hear that? A 30% cut in income taxes without touching 60% of the budget. How can he do that? Can you imagine that, cutting 30% without touching 60% of the budget? That is another astonishing fact that I cannot fathom, that any school kid can't figure out, but apparently he can.

On top of that guess what he says? He says he still has enough money to eliminate the deficit. How is he going to do that? I can't fathom that either. How are you going to eliminate the deficit when you cut taxes by 30%, do not touch 60% of the budget, and still have enough money left to cut the deficit? I mean, that's just impossible. That's just unbelievable. I'm not surprised that when we look at people who understand this, who make a living at looking at these figures—for instance, Leo de Bever is Canada's foremost economist and he says it cannot be done—as you say, sleight of hand—cannot be accomplished. "That shell game cannot be accomplished," he says. You have this quote. You check it with him and you can see what the facts are, and the facts are that it cannot be done.

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Just listen. Mr de Bever said: "It makes great sense as a political statement"—this is straight from his mouth—"but I'm not sure it makes a whole lot of economic sense." In short, this great revolutionary document does not make a lot of economic sense. But what does make sense? It makes political sense, and that's why you too

shall one day stand accused of playing tricks with those documents, while you're playing tricks right now with these figures.

I think that the Ontario public will one day wake up and look at these documents in detail and see that this simply cannot be done. You might fool them, you might fool our citizens for a month or even for six months, until they look at the documents and then, obviously, the rude awakening will come for this party that produces these figures. These promises cannot be done, and we're smart enough to figure out before the election that they can't be done. I think the Ontario people are going to be smart enough to figure out that those promises simply cannot be held up. We need economic forecasts, we need economic stimulus and we need some ideas that will create jobs. It is obvious.

The good news, of course, is that in terms of the Ontario economy and the way we live in Ontario all the ingredients are still here that made Ontario an economic powerhouse and that give us still a lot of pride, and that of course is our standard of living, our quality of life—

Mr Chris Stockwell (Etobicoke West): On a point of order, Mr Speaker: We do have a quorum here, and it's a shame considering the Liberal member who's speaking, so I won't call quorum this time.

The Speaker (Hon David Warner): Is a quorum present? The member for Parkdale.

Mr Ruprecht: Mr Speaker, what was that all about?

I want to ask you a question: Is this part of the economic revolution?

Mr Stockwell: Yes, it is a kind of revolution.

Mr Ruprecht: Is this part of the document that he's producing? Is this what this revolution is all about? Did that make sense? It makes no sense. The revolution makes no sense.

Interjection: He can't count.

Mr Ruprecht: He made a good point: You can't count, just like this document can't count. But I said we were trying to be charitable today because it is the beginning of the Christmas season and the trees are going up and kids are getting presents, so we want to be looking at this in a bit more of a charitable light.

I said, interestingly enough, that we have the ingredients of pride in this country, and certainly we are proud to be Ontarians. We still have probably the best-educated population. We still have the sound infrastructure services. We have the communities. One of the interesting facts, and I think the future will bear this out, is that we are next to the economic giant of the United States, and that of course will help us out because we have good transportation links to that country and to the rest of the world.

To get us out of this economic malaise and to get us out from these problems that have beset us in the last few years, it will take some leadership and it will take some imagination. Of course, you realize there is a person and there is a party that have the imagination and the leadership. I'm not going to tell you all the good things that we're proposing, but we have confidence—

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): Tell us a couple.

Mr Ruprecht: I will tell you a couple. We have confidence in Lyn McLeod, who is producing a document that is realistic and that makes a great deal of sense. That's why we trust her. We trust Lyn McLeod. She will be a great Premier because she's got the realistic solutions, and the team that's going to be in place to ensure that the economy is going to be bouncing back and that our people will again have hope is going to happen no matter what you're going to do.

What is important also to realize is that this government made some wrong decisions in terms of hospital funding. We know, as an example, that the Whitby Psychiatric Hospital is now forced to cut back on 100 beds for those who need services, and there are closures right across Ontario in terms of hospital care. Beds are being closed. I'm not going to blame you for all the beds that are being closed, but certainly you have to take some blame. In communities like mine, Parkdale, we know what the consequences are.

Reductions in hospital funding are going to affect all psychiatric centres as well as hospitals, and that would mean that the revolving-door policies that we've seen in places that have psychiatric hospitals will continue. On the one hand, you have people entering these psychiatric hospitals who need help. They're not ready to leave those centres. You're pushing them out into a community and then an unconscionable thing happens, because what you're doing is you're not supplying the services, once you've pushed them out of the hospitals, that are necessary for them to lead normal lives or for them to learn some basic skills again to re-enter a normalized existence.

There are literally thousands of people who are leaving psychiatric hospitals to be found on the streets of Toronto. I mean, we can speak from personal experience. There are many, many incidents that we know of, simply because there are no after-care services in place. Do people in Ontario, once they leave psychiatric centres, deserve after-care services? Of course they do.

There is no mechanism in place that creates a coordinated structure or a framework for them to lead a normalized lifestyle, because just pushing them out and giving them drugs to take on a daily basis is not solving the problem. You know, we're suffering a great deal in the west end of Toronto from such revolving-door policies. I would only hope that the Minister of Health, the Minister of Community and Social Services, the Minister of Correctional Services, the Minister of the Attorney General, the Minister of Housing—I would hope that there would be a combination of service provided, or it should be provided, that will look after and produce the desired effects for those policies that have been in place. It didn't start as the member said previously.

The Speaker: The member's time has expired.

Mr Ruprecht: Mr Speaker, I just wanted to say thank you very much for permitting me to ponder upon some of these issues.

The Speaker: The time allotted for the debate on

concurrence in supply has expired.

Shall the estimates for the Ministry of the Solicitor General and Correctional Services be concurred in? Agreed.

Shall the estimates for the Ministry of Health be concurred in? Agreed.

Shall the estimates for the Ministry of Transportation be concurred in? Agreed.

Shall the estimates for the Ministry of Community and Social Services be concurred in? Agreed.

Shall the estimates for the Ministry of Northern Development and Mines be concurred in? Agreed.

Shall the estimates for the Management Board Secretariat be concurred in? Agreed.

Shall the estimates for the Ministry of Agriculture, Food and Rural Affairs be concurred in? Agreed.

Shall the estimates for the Ministry of Housing be concurred in? Agreed.

Shall the estimates for the Ministry of Environment and Energy be concurred in? Agreed.

Shall the estimates for the Ministry of Culture, Tourism and Recreation be concurred in? Agreed.

Shall the estimates for the Ministry of Economic Development and Trade be concurred in? Agreed.

Shall the estimates for the Ministry of Natural Resources be concurred in? Agreed.

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ASSESSMENT AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI SUR L'ÉVALUATION FONCIÈRE

Mr Sutherland, on behalf of Mr Laughren, moved second reading of the following bill:

Bill 197, An Act to amend the Assessment Act / Projet de loi 197, Loi modifiant la Loi sur l'évaluation foncière.

The Speaker (Hon David Warner): Does the member have an opening statement?

Mr Kimble Sutherland (Oxford): I do. This bill will permit the Minister of Finance to enact a regulation that will apportion the total assessment of certain shopping malls in Metropolitan Toronto in a different way than presently required by the Assessment Act. Bill 197 will allow the apportionments for mall tenants to be based on a settlement negotiated between the anchor tenants and the smaller tenants. This agreement transfers \$8 million in taxes on to the anchor tenants from the smaller tenants.

Apportionment is the method of dividing among tenants the total assessment for property taxes of a multitenanted property such as a shopping centre. Prior to 1974, apportionment was based on a store's floor area. Under this method, the smaller stores paid less realty and business taxes. In 1974, the Assessment Act was amended to require that taxes on multitenanted properties be apportioned based on rent. This meant that a tenant's share of the mall's property taxes is based on the tenant's portion of the total rent paid by all the mall's tenants.

Generally, the Ministry of Finance introduced this apportionment method to a municipality at the same time as a reassessment took place there. This usually lessened

the impact of the change. The ministry was waiting for reassessment to take place in Metro Toronto before implementing apportionment based on rent in Metro malls. On three occasions, in 1982, 1987 and 1992, reassessment tax impact studies were presented to Metro council. However, reassessment has not been introduced in Metro.

In a March 1990 decision involving the Woodbine Centre, the Assessment Review Board directed the ministry's assessor to apportion the assessments of the anchor tenants based on rent, as required by the Assessment Act. Assessment appeals by anchor tenants in the Woodbine Centre and Fairview Mall for 1991, 1992 and 1993 were settled based on this Assessment Review Board decision. The anchor tenants also agreed to withdraw their appeals on assessments in other Metro malls for 1991 and 1992 and to wait for reassessment to be implemented in Metro.

In 1993, when reassessment did not occur in Metro Toronto, the ministry's assessment commissioners in Metro, except in the city of Toronto, reapportioned 1994 property taxes in all 32 malls in their areas. It was not necessary to reapportion the shopping malls in the city of Toronto, since most of its malls are part of office complexes and had already been appealed and reapportioned through the appeal process.

The reapportionment in the 32 malls shifted approximately \$14 million in taxes from the anchor tenants to the smaller tenants. Increases for smaller tenants ranged from 18% to more than 800%. It threatened the survival of the smaller retailers and thousands of jobs that they provide.

Beginning in February 1994, the government worked hard to bring together representatives of the smaller retailers and the anchor tenants. We spent nine months building bridges between people in order to save jobs—retail jobs that Metro needs. A temporary agreement was worked out for 1994. The anchor tenants agreed to assume \$8 million of the \$14-million reduction they had gained from apportionment.

The government continued to work with representatives of the anchor tenants and the Fair Assessment Coalition Toronto, which represents the smaller stores, to reach an agreement for 1995 and beyond. With all sides committed to solving this problem, the government was able to broker a fair deal.

This agreement will give immediate and continuing tax relief to the smaller tenants by transferring \$8 million in realty and business taxes from the smaller tenants to the anchors. It will retain the same taxes for each mall. The amount of taxes transferred from the smaller tenants will equal the amount of taxes transferred to the anchors in each mall. It will also continue to generate the same amount of taxes for each municipality and school board.

Bill 197 will amend the Assessment Act to allow the Minister of Finance to file a regulation to provide for an apportionment on the assessment roll among the occupants of a property on a basis other than that described in the act.

The regulations will provide the formula for calculating

the new apportionment in each of the 32 malls. This formula will result in the agreed-upon tax transfer between the smaller tenants and the anchors. As we know, there's quite a long history to this issue and of course the whole issue of reassessment in the Metro Toronto area, and that kind of helped to complicate this matter. It was a real concern to many small tenants in these malls, but the government took the role of an honest broker to try and work out and negotiate an agreement.

We were criticized for not having legislation come in quickly, but these things do take time, to work out all the agreements and then work out the specific details of how the taxes would be allocated, both for the smaller stores and for the anchor tenants. But the government was committed to a process of providing relief to the smaller tenants and working out a deal that was in the best interests of everyone. By the government playing that honest broker role, there was able to be a compromise and a deal was worked out.

I want to comment on what did occur regarding some comments and actions by the member for Oriole. It's interesting. The member for Oriole got up in this House and made a statement that if the government didn't bring in the legislation, she was going to bring in her own private legislation to ensure that the deal went forward. Needless to say, many people in this House were quite surprised when her legislation happened to be exactly the same as draft legislation that the Ministry of Finance had provided to members who were interested in this issue to let them know in advance. The Ministry of Finance has been keeping members informed on a regular basis throughout this process and, needless to say, also trying to help facilitate the process of getting this through by providing the draft legislation.

Many people were surprised. The member for Etobicoke West, Mr Stockwell, noted in the House that he wanted to thank the Treasurer for keeping them informed of the negotiations and the ongoing letter-writing that took place, that he was pleased that the Ministry of Finance was continuing to offer all kinds of information. He also noted his surprise at the private legislation the member for Oriole brought in, that it looked very, very similar to the draft legislation that had been put forward. Some people were questioning why the member for Oriole had decided to do that when it was very clear that—everyone knows the Minister of Finance is a person of integrity, he's well respected by all sides of the House, and if he makes a commitment to do something, he's going to follow up on that commitment.

Mr Randy R. Hope (Chatham-Kent): Chris was blunter than that, though.

Mr Sutherland: Well, the member for Etobicoke West might have used, in his normal way, different terms than I'm using today. Yes, he probably was quite a lot more descriptive.

At any rate, we have made a commitment to work with the small businesses, to work with the anchor tenants. The government and the ministry provided the role of being an honest broker, and today we see the results of that commitment by the government to work with all the

tenants to solve a real problem for everybody.

I look forward to the comments from the other speakers and look forward to all members of the House supporting this important legislation to resolve an ongoing and outstanding problem.

The Speaker: I thank the honourable member for Oxford for his contribution to the debate and invite any questions and/or comments.

Mr David Turnbull (York Mills): I find it at least passing strange that a government that campaigned on the fact that it was going to restore 60% funding from the province on education, that it was going to help the problems of excessive property taxation, has done nothing in its four and a half years in power. This was an absolute commitment. Remember this document, the Agenda for People? They talked about 60% funding. There's been nothing done on that.

One of the most serious problems we have with property tax is the excessive amount of property tax, particularly in the Metro area, that is borne by the property taxpayer. In fact, in the Metro area, the Liberals removed all support for education during their term in power, and the NDP, if I remember correctly, reviled them thoroughly for it, and yet in four and a half years they have done nothing to reverse that, which of course clearly speaks to the problem we have today with property taxes that are excessive.

Indeed, a lot of the commercial properties in Toronto are bearing a property tax which is out of all relationship to their ability to pay and out of all relationship to property taxes existent across Ontario, and yet the member who has carriage of this bill fails to mention the commitment that was made in that famous document, Agenda for People, which has been christened by my friend the member for Etobicoke West the agenda for suckers. There was no mention of it in his comments whatsoever.

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The Speaker: Further questions and/or comments? Seeing none, the honourable member for Oxford has up to two minutes for his reply.

Mr Sutherland: I appreciate the comments from the member for York Mills. Let me just repeat, on this specific piece of legislation, that it was solving an ongoing problem. The government played a leading role to try to resolve it and has done that.

With regard to the issue he brought up, I think the people of Ontario are very smart people and understand the realities of what has occurred in this province over the last four years. They understand the very difficult recession we've gone through. They understand the fact that government revenues went down three years in a row. I guess my answer in response to the concerns raised by him is that, yes, we haven't been able to fulfil that commitment, that's quite right, and no one's trying to hide that, but we have to look at the fiscal realities, as I say, the difficult recession, government revenues went down three years in a row.

I would say to the member that if his former federal colleagues had lived up to their commitments to treat

Ontario equally and Ontario was getting 50-cent dollars in all the programs, which other provinces are getting and which those programs were based on, I think we would have been able to achieve that 60-40 commitment.

But those things did not occur in the last four years, and I think those are some of the reasons. All of us would have liked to have fulfilled that commitment, but that was not going to be an easy task given the very difficult fiscal challenges that we have gone through.

Mr Turnbull: On a point of order, Mr Speaker: I do believe this will be a fairly controversial debate, and for that reason I think it's most important that the government have a quorum in this House to hear what is added to this debate by the opposition.

The Speaker: Is there a quorum present in the House?

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Speaker: Call in the members; a five-minute bell.

The Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Speaker: Is there further debate on this bill? The honourable member for Oriole.

Mrs Elinor Caplan (Oriole): Bill 197 is called An Act to amend the Assessment Act, but for people who are watching this debate on second reading tonight, they probably have no idea what An Act to amend the Assessment Act, Bill 197, is all about. Frankly, there are probably very few people who would consider this a big, major issue.

I listened very carefully to the parliamentary assistant and I agree with almost all of what he had to say. The only place where I would really take issue is the role the government played, and I say that in all sincerity. The agreement this bill implements and enables was actually arrived at by the people who had the problem: the anchor tenants, the owners of the malls, and the retailers, the small businesses, that were being hurt, very badly hurt, and they were all being hurt, not just any one of them.

What had hurt them were two events that took place simultaneously, as the parliamentary assistant pointed out. Those events were what is called a reapportionment, which took place as a result of a decision made by the Assessment Review Board, that moved around the taxes payable in the large malls, particularly in Metropolitan Toronto; not so much in the city of Toronto but in the other members of the Metropolitan federation. In North York, for example, Fairview Mall was seriously affected, and the other large malls in Metropolitan Toronto were seriously affected by this reapportionment as a result of the decision of the Assessment Review Board.

The other event that occurred at the same time, which exacerbated the problems of the reapportionment, was a reassessment that took place which actually raised the amount of tax payable based on a new assessment base that was imposed on the malls at the same time.

I don't think it would come as a big surprise to anyone

who remembers the devastating recession of the last four years, but that was the third R: We had reassessment, we had reapportionment and we had a recession. The combination of those three Rs, if you will, meant that jobs were going to be lost, businesses were going to go bankrupt, and that would affect not only the owners of those malls but the anchor tenants and the independent smaller businessmen and women, the retailers, in those malls. They really need each other. No owner of a mall wants to have his mall with large bankruptcy and vacancy signs and signs To Let. We saw a lot of that in the last four years during the recession, and that not only hurt the communities through the jobs that were lost, it seriously impacted on the owners of those malls.

The anchor tenants, who are frequently the attraction for the smaller retailers, also depend on those smaller retailers because they bring people to the mall. There's a symbiotic relationship between the anchor tenants and the smaller retail businesses in the malls around Metropolitan Toronto. I see it when I'm at Fairview Mall. Not only do you see people who are shopping and buying and going into the Bay or Sears, but you also see people who are engaging in all kinds of shopping activities, both buying and looking. Those smaller retailers attract people and the big anchor tenants attract people and the malls become a place of important economic activity to our community. Certainly Fairview Mall is very important to the people of Oriole riding, but it attracts people from Scarborough, from Markham, from other parts of Metropolitan Toronto, who come for the activity, the economic activity, the opportunity to purchase goods and services at Fairview Mall.

So those three Rs—reassessment, reapportionment and the recession—all contributed to a very serious problem that these owners, these large anchor tenants and small retailers were facing. What happened was something that I think was very important. They got together, and what the government did do was say to them, "If you can come up with a deal, we will bring in enabling legislation to allow your deal to go forward." They did not act as the facilitator or "the honest broker," as the parliamentary assistant said. I've spoken to the anchors and to some of the retailers, and they really felt that during this process they were very much on their own.

So I would like to stand in my place today and congratulate the leadership of the coalition who organized the small retailers, and I'd like to congratulate the anchors, particularly the Bay, that showed enormous leadership in coming forward and working with the anchor tenants; Sears also. I've spoken to a senior employee from Sears. I understood their frustration, because none of them wanted to have to enter into a process to make a deal. Not everybody unanimously agrees that this is a wonderful situation. Many of the small retailers are still going to experience significant tax increases, and the anchors feel they're already paying too much.

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I don't think there's any individual or business person in this province today who doesn't feel the weight of a heavy tax burden. While we're all feeling this need for tax relief, here you had a situation in Metropolitan

Toronto where people came together, recognized the reality, recognized the symbiotic relationship and worked out a compromise. As I said, that compromise is not unanimously accepted, but there is a consensus that was achieved.

Because it was not unanimous, many of them feared that this government would in fact not table the enabling legislation in time. They knew this was a very short session, they saw the end of the session rapidly approaching, and so what I did was take the government's draft legislation and table it so that the government would be able to say that something had been tabled in time. I said that if they brought in their own legislation I would happily withdraw mine. But as the end of the session approached, I said it was important to these people that their agreement, their negotiations and their deal be recognized. They were the ones who showed the leadership, they were the ones who brokered this deal and they are the ones who deserve the credit. But they were concerned that they would be left to hang out to dry because there was opposition building to this deal.

If I persuaded the government to strengthen its resolve, I am pleased, but I suspect that it recognized the importance of dealing in good faith with those parties. I'm pleased that the government tabled its legislation, but I can tell you that I was getting very nervous, because it tabled it one day short of the last day that it could table legislation in this session.

So my criticism of the government is that in fact it waited too long. They created unnecessary anxiety among those people who had worked so hard to bring this deal forward. The draft legislation had been circulating for over a week. People were expecting to see it come forward. They were anxious because the timing for tabling of legislation was coming to a close and they frankly didn't trust the government to move this forward, because they knew that there were those who were opposed to the deal who were actively lobbying.

I can tell you my phone rang, and I heard from those who were opposed. In fact, today they are waiting impatiently for this piece of legislation to be completed and go through the legislative process before this House rises. We know that today is second reading. The House is scheduled to prorogue one week from today. So there is some urgency for this legislation to complete second reading and have third reading.

When I attended a meeting in North York, actually at Bayview Village mall, the discussion was very specific as to what the legislative process is going to be and if we are going to have time to have this legislation put through.

At that meeting, I said that it is very normal in our legislative process that following second reading there's an opportunity for public hearings for those who might have a dissenting view or feel that the legislation could be improved in some way or for those supporting the legislation to just come forward and say, "We support this, and these are the reasons why." Public hearings are a very important part of our democratic process.

I am sad to say that there is not going to be enough time to have any public hearings on this legislation.

That's because the government waited too long to table its legislation and call it for second reading. That's too bad.

I have said that because I want to see this legislation expedited 12 members of our caucus will not stand and demand public hearings, as would be our right. We will cooperate to see this legislation move forward, but I want to say on the record that if the government had tabled this legislation a few days before it did, it could have had at least a day of public hearings, which would have allowed these people who negotiated the deal to come forward at public hearings and have their say.

I will be supporting this in second reading and third reading, but I do say that it is unfortunate that we cannot have a day of public hearings so we could have heard from those merchants how they are suffering, how they are anxious for this deal to go forward, what it will mean to them. But also, as I speak for them today on the floor of this House, we would have heard from them that this is not a panacea, this does not fix their problem, their taxes are still too high. Many of them are still going to be facing tax increases that will be difficult for them to pay. While this legislation will save some jobs and it will save some merchants from going bankrupt, I fear that some jobs may still be lost and some businesses may still not be able to hang on, notwithstanding this deal.

It's my hope that as the economy grows—and we know that it is growing and things are turning around. Unfortunately, much of the recovery has been a jobless recovery. Particularly in Metropolitan Toronto we have seen fewer jobs created during this period of recovery than in other parts of the province.

So we must look at measures that will assist businesses in Metropolitan Toronto so that they can not go bankrupt, so that they can create jobs, so that they can prosper, because if businesses in the malls of Metropolitan Toronto prosper, that will be good for not only the people of Oriole, not only the people of Metropolitan Toronto, not only the people who are directly using those malls but all of the people of Ontario, because Metropolitan Toronto traditionally has been the engine of economic growth in this province, and as Metropolitan Toronto suffers, that does not bode well for the province of Ontario. As Metropolitan Toronto's recovery is sluggish or slow or without the kind of economic activity and job creation that we're seeing in other parts of this province, it does not bode well.

We should all have an interest, and I have an interest, in seeing strong economic growth and a strong recovery and jobs created and businesses that are viable and earning a profit, not only in Metropolitan Toronto, not just in Fairview Mall, but I know that if Fairview Mall and Yorkdale and the other malls in Metropolitan Toronto do well and prosper, then Ontario will benefit because of that economic activity. Bill 197 is a very important but a very small part of my hope that we will start to see a few more jobs saved, a few more businesses that do not go bankrupt.

I would again like to congratulate some of the other people who played a very important role. At the meeting that I attended at Bayview Village mall, the meeting was

chaired by David Shiner, who is the councillor for ward 13 in the city of North York. David played a very important facilitative role. He gave advice, he supported this and spoke very loudly at the city of North York council. I would say to all of the members of this House that David Shiner showed tremendous leadership and assistance to those malls in North York and also brought this issue to North York council, and so I congratulate him.

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At that very same meeting was the councillor for ward 14, Paul Sutherland. Paul shares the same boundaries. Ward 14 and ward 13 together make up Oriole riding. I have a working relationship with both David Shiner and Paul Sutherland, and it was important that they were both there at that meeting and that they have both been there in support of the deal that was brought forward by the anchor tenants and the small retailers.

The leadership that was shown by the coalition was outstanding, and what it showed me is that local solutions to local problems are possible, that the people in the local communities who know their community know what's possible, and if you have faith and confidence in them, they can find the solutions that, while not perfect, will achieve the kind of consensus to allow us to move forward.

You've heard me stand in this House before and speak about my confidence that people in the communities across the province, if they are given the opportunity, will rise to the challenge and help us meet the challenges and solve the problems and find the solutions to the many issues that are facing Ontario today and that Ontario will be facing in the future.

When I took this bill to my caucus, there were some who said, "Well, how does this affect my area?" They were from outside of Metropolitan Toronto. It is important to discuss the answer to that question in this House because this legislation in fact has no impact on anyone outside of Metropolitan Toronto. This is Metropolitan Toronto-specific. I would say to those who are outside of Metropolitan Toronto who want to look at this that if they have a problem this is a very good model for sitting down with and finding a solution to their problem.

This may not work for them. I do not believe that one-size-fits-all solutions are right for Ontario. I've resisted time and again the NDP approach, which is: central planning, cookie cutter, everybody across the province is required to meet the same objective and do it the same way. We've seen that with the multiservice agencies in long-term care and we've seen it in a number of other approaches that the government has brought forward.

People want to know what the difference is between them, the NDP, and me, a Liberal: It's my conviction that we must bring forward the kinds of legislation that are flexible, that allow for different solutions and that allow for local communities to come forward and help find solutions to their problems.

Bill 197 is an example of a problem in a local community where it was the community leadership who found that solution, who found what is considered reasonable by a consensus of those people affected by

those three Rs—reassessment, reapportionment and recession—and they have brought this forward to solve their problem. It doesn't solve anybody else's problem outside of Metropolitan Toronto, and some would say it doesn't solve the whole problem in Metro, but they would also tell you, if you asked them, that it's better than nothing, and it's better than what it would have been without this legislation going forward.

So as I take my seat, I will repeat that I will be supporting this on second reading, as will my caucus, that we will accept the fact that there is not going to be an opportunity for any of these parties to come before a committee of the Legislature and have their views heard. We understand that is not possible because of the short session. We had only 20 days in this session, and the government chose not to table this bill in time to allow public hearings. While we don't like that, we are not prepared to see the bill delayed beyond the end of this session because, as I said, there is urgency. Timeliness is extremely important. If this is not passed before the end of December, it will not take effect in time for the 1995 tax rolls to be amended, and that's important.

So this legislation is enabling legislation and it will allow the Treasurer of the province of Ontario to implement a deal that was agreed upon by the merchants and mall owners, primarily the merchants, the large anchor tenants and the small retailers, who came together and solved the problem in the very best way that they could in the time frame that was facing them, and I applaud their efforts. I say to the government, you took too long to bring this forward, but it is here now, and let's see it pass before this House rises one week from today.

The Speaker: I thank the honourable member for Oriole for her contribution to the debate and invite any questions and/or comments.

Mr Sutherland: I just wanted to respond to a few of the comments the member said. First of all, it's my understanding, as the member said, that this is a solution for Toronto, that the conditions that brought about this problem in the first place don't exist in many other areas, if any.

The member used the terminology "the three Rs," and much of this was done when full reassessments have occurred in many of these other municipalities, so the apportionment was changed at that time. My understanding is that there aren't other places in the province where this would have an impact.

I want to deal again with this issue of bringing in the draft legislation and tabling it. It's fair enough for the member for Oriole to put forward her own legislation. I guess the concern people had was that she was putting forward government draft legislation as her own and had not really clarified to anybody that this wasn't her own piece of legislation, but she was kind of borrowing the government draft legislation. I think that's where the concern was.

Let me say just again, though, about the concern that somehow the government wasn't going to move on this, that the member for Oriole surely knows that the Minister of Finance, who is the senior member in this House, is well respected by all the members on all sides, very

clearly knows that he is a man of great integrity, and if he gives a commitment to do something and follow up on something, he's very clearly going to do that and make sure that he does it. He has, as I'm sure everyone knows, the greatest respect of all his fellow caucus members under his guidance and leadership who deal with the different issues, and if he makes a commitment, he's doing that knowing the caucus is going to be supporting him on that.

So there was never any plan to delay this or not get it forward. When the commitment was made, I think all members would know that it was going to be followed through by the Minister of Finance.

Mr David Johnson (Don Mills): I wasn't going to say anything on that account, but the member for Oxford has sort of prompted me.

I discussed this matter with the Minister of Finance, a man of great integrity. I mean, we're all people of great integrity, I assume, in this House. This was only, I would say, about two to three weeks ago, and at that point in time, this bill had not found its way on to the legislative agenda. It was no priority of this government. When our caucus met and looked at the priorities that were given to our House leader, this was nowhere to be found whatsoever. At that time, the minister informed me that whatever bill came forward, if indeed one did come forward, because it wasn't a priority at that particular point in time, it would apply to all of the province of Ontario and could not be Metro-specific; that would cause too much of a problem. That was just two to three weeks ago.

So I must say that even though we're all people of great integrity and even though the Finance minister is a person of great integrity, there was really serious doubt that there was going to be a solution, and I can tell you that I received letters from many retailers in the province of Ontario and they had great doubt that this was going to come forward.

Having said that, though, the private member's bill, I assumed, was just sort of politicking. That's kind of what goes on around here, that private members' bills never get through except on very rare occasions, and indeed if the government intended to move, they'd bring their own bill forward and the private member's bill would not be pursued.

So I have to agree with the Liberals on the one hand that there didn't seem to be any movement out of the Finance ministry, but I have to agree with the government on the other hand that it was really a bit of politicking to bring forward a private member's bill that had no hope of going. So I think you're both right and you're both wrong.

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Hon Frances Lankin (Minister of Economic Development and Trade): I have to say to both the member for Oriole and the member for Don Mills that one of the reasons the Finance minister two or three weeks ago was talking about a provincial solution or a provincial bill and the inability to have a Metro-specific bill is because there wasn't yet an agreement that had been arrived at between the anchor tenants and the small tenants. The member for

Oriole took great pains to say that this was an agreement arrived at between the parties and suggested that the government had very little to do with it. I'd like to correct the record on that part.

I applaud the parties for the work they did in coming to an agreement on this, and I think that if you check with the parties you'll find that the Finance minister and the Ministry of Finance staff in fact played a tremendous facilitation role in helping that agreement come to fruition. I followed this with some interest, and there were many calls back and forward and moments of impasse where if it hadn't been for the intervention and the role of the Minister of Finance and his staff, there wouldn't be an agreement today.

I say to the members opposite that while you can attempt to make political points in saying that you didn't know if a bill was coming, and that's the reason why you took a draft bill and submitted it in under your own name, the Minister of Finance was quite clear that he was looking for a solution that would meet the needs of the parties and would have the agreement of the parties and would have support from the members opposite to bring that in. And of course it wasn't prioritized on the legislative agenda when there was no solution that had been arrived at.

So I think the Minister of Finance and his staff worked with great diligence and brought about with the obvious participation of the parties a partnership solution to a very serious problem, one that had a tremendous impact here particularly in Metro Toronto. The resolution is one that all parties obviously out there in the constituency involved and here in the Legislature find themselves in a position to be able to support. I would say he should have kudos for that effort.

The Speaker: Further questions and/or comments? Seeing none, the honourable member for Oriole has up to two minutes for her reply.

Mrs Caplan: I want to remind members of the House and any of those watching what the role of the member of the opposition is. I see my role as a critic of the government, someone who holds the government accountable. I see the role to push the government to act, to offer alternatives and to attempt to influence public policy in a positive way.

On a number of occasions in this House when the government cobbled together omnibus legislation that included, for example, the repealing of taxes like the tire tax and the corporate concentration tax, both of which I supported, I in fact tabled the government's own legislation in a separate bill so that I could show that I would like to have the opportunity to vote separately on that legislation. So I was very consistent when I pushed the government by tabling their own legislation which they had to that point in time refused to table and pushed them to bring it forward before the House adjourned, because with only a few days left to table legislation in this session, I was concerned and many were concerned that they would not act in time, and if the legislation was here and on the books, they would have no excuse not to act.

I want to thank the member for Don Mills for a very accurate portrayal of the situation as it was. In fact, all

members of this House do from time to time play political games. But I will tell you that I take my role as a member of the official opposition very, very seriously, and if in any way the actions that I have taken in the past in this House have pushed the government, then I feel I have been an effective member of the opposition.

When it comes to Bill 197, it is deserving and worthy of support. We can quibble as to what the government's role is. The fact is that it was those parties who brought a deal and I congratulate them.

The Speaker: Is there further debate? The honourable member for Don Mills.

Mr David Johnson: I'm going to be guided by the comments of the Premier earlier this evening. The Premier has informed us that the situation in the province of Ontario is a rosy one.

Applause.

Mr David Johnson: Yes, well—and far from me to be a naysayer.

Mr Drummond White (Durham Centre): He's an honourable man.

Mr David Johnson: He's an honourable man. The Finance minister is an honourable man. The member for Durham Centre is an honourable man. We're all honourable people in this Legislature. None of us are naysayers and none of us wish to be enraptured by negativity and none of us wish to be in a cocoon of negativity, and far be it from me.

If I was to be a naysayer, I might read the Toronto Star tonight, but not wishing to be naysayer, I couldn't read the Toronto Star. I couldn't bring to you the information that there's a tax revolt in Metropolitan Toronto. I couldn't bring that information as a naysayer, could I? Because that wouldn't be too rosy.

Mr White: Is the Toronto Star a Liberal paper?

Mr David Johnson: The Toronto Star is—well, it's an organization that probably doesn't support either one of us too often, to tell you the truth.

At any rate, there is an article here which I wish I could read because it has some factual information in it, but that would be naysaying. If I could read it, it would say that in Metropolitan Toronto, 100,000 property owners have launched a tax appeal, 100,000 people this year. That, by the way, is half of the appeals of the whole province of Ontario. Why did these people launch a tax appeal? I guess if I was a naysayer I would say it's because, under the burden of taxes, they are getting creamed and they can't afford it. That's homeowners; that's business people. But that would be not painting a rosy picture of the wonderful condition in the province of Ontario, so I won't talk about that.

If I was a naysayer, I might talk about the city of Toronto: in 1990, 38,000 properties paying taxes; today only 34,000, some 4,000 fewer properties paying taxes in the city of Toronto in the last four years. What's happening? Businesses going out of business; can't afford the taxes. Unfortunately, that's what this whole issue is about, but it's an issue that has a little bit of negativity to it so it's a little bit difficult for me to deal with it because I know the picture in the province of Ontario is rosy, and

surely there must be something wrong. We couldn't have 4,000 fewer properties in the city of Toronto paying taxes in Bob Rae's Ontario, which is so rosy.

If I was a naysayer talking about the management of this province, I would talk about the debt being \$90 billion, up from about \$45 billion when this government took office four years ago. That would be negative, though, so I won't talk about that. Besides, there is a positive side to that. Think of all those foreign lenders in Japan and Europe. Think how happy they are lending to us and the interest rates that they get. So there is a positive, rosy side to that. That is a very bright picture.

If I was a naysayer, I'd talk about the deficit, I suppose, how over four years in the province of Ontario it's exceeded \$10 billion each and every year.

Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs): But you wouldn't say that.

Mr David Johnson: No, I wouldn't say that. The Minister of Environment and Energy is absolutely right. I wouldn't say that. I'll slide off that topic.

If I was a naysayer I'd talk about the interest rate and the budget of the province of Ontario: \$4 billion when this government took office; \$8 billion in the budget just to pay this interest this year in the province of Ontario. But that wouldn't be a rosy picture.

I certainly wouldn't talk about the fact that in Metropolitan Toronto there are 200,000 fewer jobs today than five years ago, 200,000 fewer people at work. That wouldn't be a very rosy picture.

I wouldn't talk about the board of trade, the publication. They must be naysayers in the board of trade because they talk about 200,000 fewer jobs in the province of Ontario. They talk about plants being closed, buildings being empty.

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Hon Mr Wildman: What about the ones that are being opened?

Mr David Johnson: They talk about the problems, Mr Minister, of the tax system, which is the topic of this debate tonight. They talk about the need to reform not only the property tax system, not only the assessment of shopping malls in metropolitan Ontario, but the board of trade, naysayers that they are, talk about the whole assessment system in Metropolitan Toronto, and they don't paint a very rosy picture of the assessment system in Metropolitan Toronto. It's difficult for me to talk about that, because that isn't a very rosy picture.

They talk about the school taxes that they have to pay, the burden of school taxes on businesses, and I might say on residential property taxpayers as well, but they talk about the burden on the businesses in—

Hon Mr Wildman: This is put out by an organization that promotes Toronto.

Mr David Johnson: This is put out by an organization, Mr Minister, yes, that promotes Toronto—
Interjection.

Mr David Johnson: You know, Mr Minister, it promotes Toronto. It has to be realistic too. And to have

a successful and vibrant economy in Metropolitan Toronto, we have to be realistic. We have to recognize the problems that we have. We have to be prepared to deal with those problems.

The Agenda for People that is being flashed about through our caucus had some hope for the board of trade when it was put out, I guess on August 18, 1990, because the Agenda for People said that the "New Democrats propose raising the provincial share of education costs to 60% over five years," in other words, taking some of the burden of the education off the property taxpayer, the residential taxpayer and the business taxpayer of Metropolitan Toronto and indeed across the rest of the province of Ontario—taking the burden off.

Hon Mr Wildman: And put it on the income taxpayer.

Mr David Johnson: So, Mr Minister, the Board of Trade of Metropolitan Toronto would agree with some aspects of the Agenda for People, if only it got implemented, because they say that one of the three main burdens in Metropolitan Toronto in terms of the property tax is the burden of the school taxes on the property tax, second being the assessment system itself, which is antiquated, which is 50 years old and needs overhaul, and I might say not only in Metropolitan Toronto, but certainly there have been complaints from many sectors across the province of Ontario that the assessment system is simply not working, and the third point that these naysayers, the Board of Trade of Metropolitan Toronto, made was that the welfare burden on the property tax is out of whack. It's too severe and it's causing hardships.

When you put all those components together, and the real estate taxes in Metropolitan Toronto, it's causing businesses to leave Metropolitan Toronto. Metropolitan Toronto is no longer competitive from a property tax point of view. In the city of Mississauga, just across the border, a hotel will pay at least a half and perhaps less in property taxes than a similar hotel in Etobicoke in Metropolitan Toronto. So how can business compete?

We have 1.4 million people on welfare in the province of Ontario, every year since this government took office more people on welfare, including this year. We have a rate of job growth slower this year than we had last year, according to the government's own forecast that was just put forward within the last week. We have young people today, in this very same newspaper, in today's newspaper, being advised, "If you want a job, leave Metropolitan Toronto; go somewhere else," because the rate of unemployment in young people in Metropolitan Toronto is very severe and it's a tragedy. It's a tragedy that we're going to have to deal with in the years ahead.

I said I wasn't going to be a naysayer, but that's not a rosy picture I'm painting, and I apologize. I didn't mean to do that, because I've been directed by the Premier of the province that we have a rosy future. Notwithstanding this unemployment, these high taxes, we have a rosy future, and I believe the Premier. He certainly wouldn't lead us astray, would he?

Mrs Caplan: Want to take a vote on that?

Mr David Johnson: The member for Oriole says,

"Do we want to take a vote on that?" Well—

Mrs Caplan: Drop the writ. Let's go to the polls.

Mr David Johnson: Drop the writ. All right. Well, I'm sure the writ will be dropped soon enough.

In terms of the property tax issue with regard to shopping malls, I guess what I'm trying to convey is, we are dealing, yes, with Bill 197. We are dealing with one specific aspect of assessment in Metropolitan Toronto, one that needs to be addressed, one that needed to be addressed a year ago.

I can't help but note the pats on the back the government is giving itself for solving this problem, for being an honest broker, for taking an extreme interest in this whole issue when in fact the government knew this issue was coming well over a year ago because of appeals that had been made by anchors of which this government would be fully aware, and probably the only entity in the province of Ontario that would be fully aware of what was going to happen. This government was aware that some \$14 million was being shifted from anchor stores on to small retailers. That was over a year ago, because the assessment rolls went out last year—I'm talking December 1993—and the shock waves hit.

Where were the honest brokers a year ago? Where were the honest brokers? Where were the government officials with integrity who were so concerned about small business people a year ago when the shock waves hit and the tax bills went out? The tax bills went out at 200%, 300%, 400% increases, double, triple, quadruple what the small business people had paid in taxes the previous year. There were horror stories of people saying they would go out of business. In fact, some people did go out of business. They closed down their shop, because when their property taxes went up by 300%, they simply couldn't pay it. So there were meetings and there were articles in the newspaper and there was a flurry of activity.

Would a good, honest broker have waited till all that broke loose? All hell broke loose, frankly. Wouldn't an honest broker and somebody who was really concerned about the small business people have stepped in over a year ago and tried to broker a solution so that all that anguish, all that hurt and pain wasn't caused one year ago when the assessment bills went out and the property taxes went out shortly thereafter? There was no leadership. There was nothing to be seen.

What happened was then the small business people out of necessity had to get together. They were being swamped. They were drowning, and they got together and they formed an organization called Fair Assessment Coalition Toronto, FACT, and they did it to put pressure and to arrive at some sort of solution.

Then the honest brokers came in while the—I guess I was going to say the damage has been done or had been done. People were scared out of their wits. The shopping mall that's just up the road from me—I have some of their letters here—the Don Mills shopping centre, sent me a petition very early this year and it indicated that:

"We, the undersigned, call upon Premier Bob Rae to implement a rollback of the 1994 reassessment and

reapportionment of the Don Mills Centre to the 1992 assessment rolls." This was way back earlier this year, and this was for the assessment that had changed in 1993. "For 1994 the small retailer's share of the tax burden has jumped to 80% from 45%"—in other words, their share of the taxes in the mall had almost doubled—"at the same time that the total mall property and business taxes have increased by 24%." So the shopping mall itself had experienced an increase in assessment of 24%. "The net result was a 119% average tax increase." Some were more and some were less, but the average tax increase of one year ago was 119%.

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Now, can you imagine a 119% tax increase? If you were to open the mailbox and get your tax bill and open it up—and this is the average; some were considerably more—and see that your taxes had more than doubled from the previous year, you'd have a heart attack. This is what happened to the average person in the Don Mills shopping centre, and that was a year ago. That was before the era of the honest broker.

So they formed the organization called FACT and they descended upon the government and said: "Something has to be done. We've got to roll this back." But the government said, "Sorry, we're going to play honest broker; now the fight can begin," and they left it to the small merchants on the one hand, who were experiencing an average 119% increase in the Don Mills shopping centre, and the anchor stores on the other hand, who were the beneficiaries and whose taxes were actually going down, because what had happened was that there was a shift in the definition of the assessment from being based on square footage, as it had been previously, which favours the small merchants because they don't have that much square footage, to being based on market rent, which favours the large merchants because their market rent by square foot is less.

The negotiations began this year, and to the credit of the anchors, the anchors recognized that average increases of 119% would put many of the small stores out of business. They were hanging on. They weren't aware at that time that we had such a rosy condition in the province of Ontario. They were barely struggling. They were laying off staff. They were doing everything they could to survive, and they could not survive a 119% tax increase, and the government was not going to do anything about it, that became clear, so the anchors said: "Well, we've got two situations: We can watch the small stores go under, and then we'll have anchors at either end of a shopping plaza and no small stores in between, or we have to do something. We'll have to give back some of the tax decrease that we experienced through this change."

So the anchors, of their own free will, gave back 100% of the decrease that they had experienced through this calculation, and as a result, the smaller stores experienced no increase in taxes for 1994. There was a lot of gnashing of teeth and grinding of teeth, but the anchor stores realized it was not to their benefit for the small stores to go under.

I don't know how much of the credit the government

wishes to take for that. I ascribe just about zero credit, and that's where it all started. I didn't hear the parliamentary assistant, the member for Oxford, talk about that aspect. That really started over a year ago, because the government knew about it. For the member for Beaches-Woodbine to say that the government has been working on this and working on this when this issue arose over a year ago, and here we are right up to the last moment with no solution for 1995—it's not even on the agenda, and we've had this issue before us for over a year—I think that's a bit of a stretch, myself. Perhaps that will be explained to me, but I think that's a bit of a stretch.

But what happened as time went on is that there were various solutions that were thrown back and forth between the anchors and the small retailers. I think at one point there was a 50-50 proposal to split the difference, but the small retailers didn't feel they could survive with that sort of solution.

So now we have the solution before us whereby \$8 million of the \$14 million that should be shifted will not be shifted on to the small stores and the remaining just about \$6 million will be shifted on to the small stores. So they do have to split up an extra \$6 million to pay in taxes, which is going to be very difficult for them, but nevertheless they feel they can survive that sort of situation.

Again, as has been expressed earlier, I give credit here frankly to the members of Fair Assessment Coalition Toronto and the members representing the anchors, led by the Hudson's Bay Co. I think between the two of them they've hammered this out. I don't really know what part the Ministry of Finance played behind the scenes. I know the Ministry of Finance was there but came in very late in the game and played a very passive role.

This issue rolled on all the way from last year, through the spring, through the summer and there was no progress to report. There were no suggestions that were put out, certainly, that I'm aware of. I was keeping in touch with the main proponents on either side and there was nothing but consternation that the clock was ticking by and frankly there was no leadership from the government.

At this point, the bill that we're dealing with tonight, Bill 197, will allow the government to set the assessment roll along the lines, we've been told—I must say there are some of the actors in this whole piece who are a little bit leery of this because the \$8-million shift that won't take place and the \$6-million shift that will take place, as I mentioned earlier, are not defined in the bill. We have to take the word of the government that it's what will happen.

I can tell you that I have been contacted by some of the people who are involved who are very concerned that the regulations actually reflect that situation. They don't trust governments—in this day and age it's not uncommon for people not to trust governments—and it's not stated in the bill that's precisely what's going to happen. But we have to take it on faith that the regulations will reflect that situation.

The reapportionment will take place over 32 malls in Metropolitan Toronto, and there's one other issue that I

promised I would raise tonight from one of the actors. Reapportionment simply takes the total taxes that a shopping mall will have to pay and divides it up among the various stores, but at the same time that's happening, a reassessment has occurred of the shopping malls in Metropolitan Toronto.

As you all know, Metropolitan Toronto has not been reassessed. Metropolitan Toronto is not on a 1988 market value assessment with the exception of the shopping malls, and particularly some of the anchors, and I might say some of the smaller stores as well, are wondering why the shopping malls were reassessed. The reassessment to 1988 market values, and then they're factored back, but still 1988 market values, means that in total the shopping malls will pay almost \$4 million more in Metropolitan Toronto.

Why did that happen? Why were the shopping malls reassessed? The government did not go out and reassess homeowners, to my knowledge; the government has not gone out and reassessed other businesses, to my knowledge. Certainly other people have appealed their assessments. Tens of thousands of homeowners appealed their assessment and were told that if their assessment was to go down, they would get the benefit of that decrease, but if their assessment was to go up, then they would have the right to withdraw their appeal and their assessment would remain at the level that it previously held. But the shopping plazas didn't get that right.

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I ask perhaps the parliamentary assistant, the member for Oxford, if he chooses to respond, if he would speak to that issue as to why the shopping malls were reassessed in Metropolitan Toronto. Why were they put on 1988 market value figures, which led to a \$3.5- to \$4-million increase in total taxes paid, not because of the reapportionment but simply because of the reassessment in Metropolitan Toronto?

Just to give you one other example, the Fairview Mall in 1993 paid \$5.6 million in property taxes. In 1994, because of the reassessment last year, and the reassessment took place for last year, the property taxes had increased to \$6.792 million, an increase of almost \$1.2 million because of reassessment. Everyone is puzzled as to why this has happened, and it's certainly exacerbated a difficult situation. So when you pile the reassessment on top of the reapportionment, in many cases that's what's led to the huge tax increases.

I think, with the hour as late as it is—it's later than I thought—I will limit my comments to that. We will be supporting this bill. We'll be supporting it in the knowledge that it deals with a most difficult situation, a difficult situation that's been in place for well over a year, a situation that begs to be addressed. But it's a minute part of a huge situation, an assessment situation in Metropolitan Toronto that needs to be addressed, that's needed to be addressed ever since this government took power, and indeed I must say from before this government took power, back for several years. But it hasn't been sorted out.

Indeed, the problem goes beyond Metropolitan Toronto to really the whole province of Ontario, and I think if the

government really wanted to show leadership on this issue, then it would tackle the whole issue of property assessment in Metropolitan Toronto and in the province of Ontario. That's what's really required.

The Speaker: I thank the honourable member for Don Mills for his contribution to the debate and invite any questions and/or comments.

Hon Ms Lankin: You know, there are some people who travel through life and wear rosy glasses and see everything in the best possible light. Sometimes those people can be kind of annoying because you know in the real world there are ups and downs and there are tough things to deal with and it can't all be rosy, it can't all be terrific, it can't be really Pollyannish. I'll tell you, after four years of government through the worst recession since the Great Depression, I don't think there are any Pollyannas on this side of the House.

But on the other hand, there are those people who go through life and they're like that cartoon character with the little cloud and everywhere they go the cloud goes. They turn this way and the cloud goes; they turn that way and the cloud goes, and it's raining and they see life through the gloom and the obscure veil of rain. The member opposite kind of reminds me of that. He goes to great lengths to talk about the rosy picture that the Premier painted, but I have to say that to listen to him, you would think we're not coming out of the recession, that things aren't turning around.

Yes, it's been tough. Yes, there are very severe tax problems and challenges facing us, particularly in the Metropolitan Toronto area and the differences between the city and the rest of Metro, between Metro and the rest of the GTA, heavy property tax burdens. There's a lot for us still to work on correcting, but I have to point out to the member the second-quarter finances: annualized growth at 8.4%; annualized growth looking out to next year in the medium term at 4%-plus; unemployment down below 9% now here in Ontario—it's 10% Canada-wide. All the stats show that Canada in fact is coming out of the recession and Ontario is leading now in terms of economic growth: 137,000 jobs created in the last nine months.

Today in the paper I read all the projections for next year in terms of growth of jobs and the rosiest picture—rosy; I'll use your word—was painted by employers in Toronto, in Ottawa, in Vancouver and Montreal. Things are turning around. I'd say shake off that cloud. You can do better.

Hon Irene Mathyssen (Minister without Portfolio in Culture, Tourism and Recreation): I'll be very brief. I was very interested in the comments made by the member for Don Mills in regard to municipal taxpayers in Metro. He failed, though, in his comments to mention his Non-Sense Revolution and he failed to tell the people of Ontario that according to the Non-Sense Revolution, the Mike Harris government is going to reduce expenditures by 20%. If they do indeed reduce expenditures by 20%, that means they will also have to reduce what they transfer to municipalities by 20%. My guess would be that this would send municipal taxes skyrocketing and that those taxpayers, those concerned citizens who are in

a tax revolt, would be absolutely apoplectic when they saw their tax bills under a Mike Harris government.

I also noted that he failed to mention that the problems in Ontario were largely caused by his federal friends in Ottawa, the Tories, in the late 1980s. He failed to mention how Ontario did not receive transfers that were at all in keeping with what other provinces received. He did not mention that while other provinces were getting 50-cent dollars from Ottawa for social services, Ontario was and still is only receiving 28-cent dollars. He also failed to mention that while 55% of all immigrants settle in Ontario, we receive only 34% of federal settlement dollars.

Another thing that he failed to talk about was what this NDP government has done for small business. He failed to mention that we removed the commercial concentration tax and that we have reduced taxes to small business by 1%. But I'm sure that just slipped his mind.

Mr Robert V. Callahan (Brampton South): I really believed that no one had pierced the veil of the lack of reason in the third party's election campaign platform, but I'm convinced that now, having heard from government members that they understand it, all the people of Ontario will probably be able to understand it too.

The Speaker: Further questions and/or comments? Seeing none, the honourable member for Don Mills has up to two minutes for his reply.

Mr David Johnson: I thank the member for Beaches-Woodbine. His name was Joe Bfstplk in Li'l Abner. He had that little black cloud. That little black cloud was high taxes.

I thank the member for Middlesex and the member for Brampton South for bringing my attention to the Common Sense Revolution—

Mr Turnbull: Hear, hear.

Mr David Johnson: —and the member for York Mills for giving applause, because this is a plan for creating jobs.

I must say that the Premier of the province of Ontario mentioned the Common Sense Revolution as well. I know the Premier is a very busy person and he obviously hasn't read the plan, because he doesn't recognize where the cuts will be coming from. He doesn't recognize that the cuts will be coming from the welfare system, he doesn't recognize that the cuts will be coming from Jobs Ontario, that the cuts will be coming from reforming housing and the cost of non-profit housing, which we can't afford in the province of Ontario. The Premier doesn't recognize that the cuts will be coming from the legal aid system. The cuts are all detailed in this document, how we can cut the spending in the province of Ontario by \$6 billion, from \$55 billion down to \$49.

Mr Callahan: Just look at the index. It says "slash and burn."

Mr David Johnson: The member for Brampton South doesn't think \$49 billion is enough spending in the province of Ontario in one year. I can tell you that the people in the province of Ontario will think it's enough spending. It will put money back into the hands of the

taxpayer through the personal income tax, through cutting the employer health tax, through cutting the workers' compensation premium. What will the people of the province of Ontario do with that money? They will spend it wisely. They will create jobs, they will create 725,000 new jobs, and we'll balance the budget in the province of Ontario.

The Speaker: Is there further debate?

Mr Turnbull: I'm pleased to rise to speak to this mall tax bill, Bill 197. I intend to support it, as do my colleagues in the Progressive Conservative Party.

I want to comment a little bit on the circumstances leading up to this particular bill. Some three years ago, I believe it was, the government brought forward a bill which would have enabled Metropolitan Toronto to enact market value assessment. The then Minister of Municipal Affairs, Mr Cooke, brought this forward. I was greatly impressed by this member at this time. Until that point I had been somewhat underwhelmed by him, but I was impressed by the fact that he was capable of listening to all the presentations that were made at that time from the various presenters who came to the committee. I personally believe I was the prime moving force to force that out to committee. The minister of industry and technology is putting up her hand. Indeed, I recognize her as probably being the prime mover within the government for recognizing that market value was a wrongheaded notion.

The minister at the time listened very carefully, I believe more carefully than any other minister we have seen in terms of listening to the input of the public with respect—and I see the Speaker is getting rather restless in the chair. This being 12 of the clock, I would suggest that I would like to adjourn the debate for tonight, Mr Speaker.

The Speaker: It being 12 of the clock, this House stands adjourned until 1:30 of the clock Monday next.

Interjection.

The Speaker: My apologies. The business statement.
BUSINESS OF THE HOUSE

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): Pursuant to standing order 55, I wish to indicate the business of the House for Monday, December 5.

On Monday, December 5, we will give third reading consideration to Bill 165, the WCB reform bill. Following that, we will give second reading to Bill 198, dealing with amendments to the Liquor Licence Act and various regional municipal acts relating to after-hours clubs. Following that, we will give second reading consideration to Bill 185, amendments to the Power Corporation Act, and then continue second reading debate on Bill 197, An Act to amend the Assessment Act.

Business for the remainder of the week is under discussion between the three parties in the House and will be announced each evening for the following day.

The Speaker (Hon David Warner): This House stands adjourned until 1:30 of the clock Monday next.

The House adjourned at 2403.

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No. 166A

N° 166A

ISSN 1180-2987

**Legislative Assembly
of Ontario**

Third Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Troisième session, 35^e législature

**Official Report
of Debates
(Hansard)**

Monday 5 December 1994

**Journal
des débats
(Hansard)**

Lundi 5 décembre 1994



Speaker
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 5 December 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 5 décembre 1994

The House met at 1332.

Prayers.

MEMBERS' STATEMENTS HEALTH PROFESSIONS

Mr D. James Henderson (Etobicoke-Humber): At a time when health care in Ontario is under severe stress, we should note that demoralized and unhappy health practitioners do not do their best work.

Physicians in Ontario are indeed demoralized. They rallied a little some months ago when they heard a commitment from the government of Ontario that they would be permitted to incorporate their practices, as indeed do many other professionals practising in the province of Ontario. The NDP government agreed to incorporation and referred the matter to the Health Professions Regulatory Advisory Council.

Incidentally, the Ontario Medical Association has already agreed that any incorporation structure put in place would include the retention of personal liability on the part of individual practitioners.

Ontario physicians are increasingly constrained by a widening network of regulations, prohibitions and enactments which have the effect of undermining their professional freedom to practise medicine. I am speaking of the Canada Health Act in 1984, Bill 94 in 1986, the imposition of the GST in 1990, capping of physicians' billings, various clawback agreements and an ever-widening definition of professional malpractice policed by the College of Physicians and Surgeons of Ontario.

Now the government is hedging on its promise, claiming that the advisory council's June 1994 report recommends withdrawal of its commitment. The government wants to renege on yet another NDP promise. That would not be in the public interest nor in the interest of promoting good health care in the province of Ontario.

I appeal to the government to honour its promises and to recognize that patients suffer when clinicians feel demoralized and unfairly treated.

LONG-TERM-CARE REFORM

Mr Leo Jordan (Lanark-Renfrew): This statement is for the Premier. Gary Winters, president of the VON, Lanark branch, has voiced serious objections to Bill 173 and this government's treatment of home care providers. His concerns are outlined in a letter to the Premier in which he states the following:

"To place the citizens of our community in jeopardy for future services and to add more uncertainty and anxiety on care-providing staffs when your proposed long-term-care reform is already unsettling to both groups is both irresponsible and unwarranted."

The VON has provided a list of situations in Lanark

county where patients have lost home service because of this government's approach.

This list includes a 94-year-old patient with cancer, lives alone, no family; an 80-year-old patient, lives alone, needs weekly injections; an elderly couple, the wife bedridden, the husband had to become the caregiver, he fractured his hip while doing laundry.

There are many other cases, but I think the point is clear: The NDP will abolish home care systems that work and, for the sake of ideology, they have placed the lives of these patients in jeopardy.

COUNTY OF OXFORD

Mr Kimble Sutherland (Oxford): January 1, 1995, marks the 20th anniversary of the restructuring of Oxford county. The county of Oxford's foresight has resulted in an improved form of local government that other jurisdictions may well wish to study. The restructuring of Oxford's municipal government resulted in a significant consolidation in the number of rural townships, from 18 to 8. The city of Woodstock and the town of Ingersoll rejoined the county government system.

The drive to restructure came from local politicians, supported by the Ontario government, concerned with the need for a stronger, unified approach to land use planning which would be better equipped to deal with development pressures.

The restructuring was also seen as an alternative to regional government that many urban centres in southern Ontario were discussing at the time, and Oxford county did not want to be absorbed into a regional government based in urban centres such as London or Kitchener.

The changes have been an overwhelming success. Oxford county stands as the only example of complete county restructuring in Ontario. The county assumed control over land use planning and established Oxford's official plan. Water and sewer services are joint local and county functions. The county takes care of a network of county roads and administers the delivery of social services.

Oxford county has also led the way in the creation of a computerized property records system that has been the focus of international interest and now is the basis for a province-wide system.

In closing, I would suggest that other municipalities may wish to review the Oxford county experience. They would discover a municipal government that is smaller, more efficient and more effective. Municipalities struggling to cut costs and maintain services in today's economic climate may well benefit from Oxford's example.

M.M. ROBINSON HIGH SCHOOL

Mrs Barbara Sullivan (Halton Centre): For some time people in Halton Centre have been working diligent-

ly with me to ensure that safety and educational problems at M.M. Robinson High School are addressed in the Halton Board of Education's capital program.

To say that the need is urgent is no exaggeration. The art room, which is a converted janitor's storage room, is vented to the loading dock. Severe water damage has caused what appear to be structural weaknesses around large, original windows. Students are not allowed to use gas in their chemistry labs due to deterioration of the piping.

The Halton Board of Education has now set M.M. Robinson as its number one priority for capital spending. The problems at the school, I believe, need correction immediately, and I have asked the Minister of Education and Training to consider making the ministry's share of funding available in advance of the normal timing for capital allocations, since the renovation requirement is so serious.

Many of us who have been concerned with the needs of this school for some time were amused last week to hear the partisan rhetoric of the member for Burlington South on the topic. His intervention was distinctly unhelpful in assisting us to ensure that the students at M.M. Robinson attend a school that is safe and where the full curriculum can be presented.

Indeed, we haven't needed or wanted his help in Halton Centre for capital allocations for renovations, additions or new schools for either the public or the separate boards. In a cooperative effort, we have brought close to \$200 million for schools to my constituency since my election in 1987. That is a record that is unmatched in any other constituency in this province.

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CORRINE LEGER

Mr Chris Stockwell (Etobicoke West): I rise today to bring to the attention of the Minister of Health and Solicitor General a situation that has caused undue stress on the family of one of my constituents. I bring it to their attention in this way as obviously the ministers have not paid attention to the letters written to them by my constituent's family.

A year ago this week, Mrs Corrine Leger died at St Michael's Hospital. Due to the sudden and unexpected nature of this death, an inquest was held. This inquest, held last July, did not provide conclusively the cause of death. In fact it raised many more questions than it answered.

Needless to say, the family is not satisfied. They have continued to try to find out the real circumstances surrounding their mother's death, and to this end they have appealed to the Minister of Health, the Solicitor General, the Ombudsman and the Premier.

The family has some very serious questions as to the recourse one has when not satisfied with the results of an inquest. The family feels the various ministries are closing ranks when it comes to their complaint. In over 20 letters to the government, the family has repeatedly asked for help. The only responses they have received from the ministers simply defend the accusations that a conflict exists when one has to contact the office one is

complaining about in order to talk to the office that investigates the complaint.

The ministers have been quick to justify how their bureaucracies function but have done absolutely nothing to help these people. The family has serious concerns as to the availability of justice in this case and they deserve some answers. They have been treated extremely poorly, and I urge both ministers to get personally involved in this case and help the family put this unfortunate situation behind them.

TOWN OF BOSANQUET

Mrs Ellen MacKinnon (Lambton): I'm very pleased to inform the Legislature today of a historical event in my riding of Lambton which I had the pleasure of attending on Thursday, December 1. The township of Bosanquet, by order of Queen Victoria on May 30, 1849, was declared a township in the county of Lambton. On December 1, 1994, I took part in the official inauguration by an order of the Ontario Municipal Board to erect the township of Bosanquet to town status.

Bosanquet was first settled by Asa Townsend in 1821, and he described the new-found land as exotic. I commend Mayor Fred Thomas, the council and the staff of Ontario's newest and largest town for their progressive actions and efforts on behalf of the residents of the town of Bosanquet.

This day was also very significant as I announced the approval of a \$436,000 Canada-Ontario infrastructure program. This funding will be used to construct a new building to house the town's firehall, municipal garage, water department and related offices. Work is to start immediately and will create 202 weeks of employment and one long-term job.

The town of Bosanquet is moving into an exciting era, and I encourage everyone to visit the town, which is one of Ontario's most beautiful tourist areas. With Pinery Provincial Park, the beaches of Lake Huron and many campgrounds and other recreational facilities, Bosanquet is truly a vacation consideration for the whole family.

INFRASTRUCTURE PROGRAM FINANCING

Mr James J. Bradley (St Catharines): There's a crisis in OHIP coverage that cries out for immediate attention by the Minister of Health. It is becoming clear that NDP provincial government ministers may be suffering severe damage to their backs from constantly patting themselves on that part of their anatomy during the announcement of funding of infrastructure projects in Ontario.

Astute members of the news media will be well aware that the only new funding in the infrastructure program is that which is coming from the federal government and that the provincial government portion consists simply of routine, regular grants that have been made to municipal-provincial projects in years gone by with little fanfare.

The same ministers who habitually bash the federal government for partisan political purposes appear large as life at the news conferences with their federal counterparts to share in the glory of good-news funding announcements that have been made possible only by the present federal government abandoning the policy of the

former Progressive Conservative government of Brian Mulroney, which refused to participate in such a beneficial program.

The province has routinely funded road, sewer, water, recreational and cultural capital projects in years gone by as a normal part of its role. Federal funding has permitted far more projects to proceed, with employment benefits to the communities affected. This, members will recall, was the kind of job creation program ridiculed in Progressive Conservative campaign commercials.

Act immediately, Mrs Grier. The backs of your ministerial colleagues are becoming bruised and painful from all that self-inflicted patting.

RURAL ECONOMIC DEVELOPMENT

Mr Ted Arnott (Wellington): It's interesting to hear the Liberals and the NDP argue about who can spend more and who can congratulate themselves better, but today I would like to raise a number of issues regarding rural economic development which are important to Wellington county and all of rural Ontario.

First, the Ministry of Agriculture, Food and Rural Affairs has taken a disproportionate share of spending cuts. If all government ministries experienced the same level of cuts as Agriculture and Food, the province would not have a deficit. A new government should ensure that agriculture has its fair share of government support.

Second, Bill 91, the Agricultural Labour Relations Act, became law in June 1994. Bill 91 allows for collective bargaining in agriculture, the unionization of our family farms. Because of the nature of farm work and farm products, work slowdowns can be devastating to this industry. The government should repeal Bill 91.

Third, the farm tax rebate program was implemented to correct an imbalance in rural property taxes. Until reform of the provincial property tax system is complete, the government should retain the farm property tax rebate program in its present form.

In Ontario chemicals must be approved by both the federal Department of Agriculture and the Ministry of Environment and Energy. The present system is over-regulated. The approval of a chemical at the federal level should be sufficient to ensure the safe use of these chemicals in Ontario.

Because of the continuing fluctuations in world markets and subsidies implemented by competing nations, we need effective safety net programs in Ontario. The government must actively promote the establishment of a whole farm support program. The inequities of the gross revenue insurance program should be relieved by increasing market revenue insurance coverage to 85%.

All these ideas have come from the people of rural Ontario and are referenced in our Conservative caucus's rural Ontario task force report. If implemented as government policy, our report would constitute nothing less than a welcome return to commonsense government in Ontario for the first time since 1985.

CAVE SPRINGS DOCUMENTARY

Mr Ron Hansen (Lincoln): I rise to pay tribute to the producers and subject of an award-winning documentary on Cave Springs Farm in Beamsville. The Magic of Cave

Springs, a film made in 1993, was runner-up in the best documentary category of Maclean Hunter Cable TV 1993-94 in-house awards program. The 28-minute film was produced by Patti Crossley of Port Dalhousie. The executive producer was Joann Tweney of Maclean Hunter's Niagara division.

Maclean Hunter recently presented a special plaque commemorating the award to the film's main subject, Mrs Margaret Reed. Mrs Reed, fondly known as the witch of Cave Springs, has been giving tours of the Cave Springs site for years. She especially enjoys casting the magical spell of Cave Springs on the school children. Cave Springs has been the focal point of interest for many years, mainly because of the ice cave and magnesium springs. Its historical significance runs the gamut from lost treasure caves to early Loyalist settlement.

According to Maclean Hunter, the Cave Springs film was up against some tough competition from 22 other entries in the best documentary category, so finishing in the runner-up spot was a great honour. Maclean Hunter's Niagara division has only won this category once in the 10 years since the awards began.

The documentary has captured the essence of Cave Springs and the spirit of its keeper, Mrs Margaret Reed, a wonderful senior who says she'll live forever because she drinks the magic water of Cave Springs. Congratulations to Margaret Reed, Patti Crossley and Joann Tweney for a job well done, and be sure to visit Cave Springs in the future, Mr Speaker.

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STATEMENTS BY THE MINISTRY AND RESPONSES

PUBLIC SECTOR RESTRUCTURING

Hon Floyd Laughren (Deputy Premier and Minister of Finance): I rise today to outline to the House this government's decision on next year's transfer payments to our largest partners in Ontario's public sector. I will also outline how we are reshaping the public sector to keep services affordable in the future.

As this House well knows, we have worked long and hard to strike a balance among our priorities: to get Ontarians back to work, to live within our means and to provide quality services at an affordable cost.

Our plan is working. We are striking the right balance. The current economic expansion that we've helped to create is fuelled by confidence about Ontario as a place to live and to work, and it holds the promise of sustained growth in the future.

It is tempting to think that our fiscal work is done and that economic recovery alone will solve our problems.

That would be wrong. We know it would be wrong because other governments in Ontario have made exactly that same mistake. They spent lavishly when the economy was expanding and ran up debt that we didn't need. A private sector report estimates that if government had kept spending increases simply to the rate of inflation between 1984 and 1989, we would have had an \$18-billion cushion against the recession. Instead, when the good times ended and the money dried up, Ontario was \$40 billion in debt.

We will not repeat that mistake. People in Ontario have suffered too much and we have worked too hard at setting things right.

It has fallen to us to make the tough decisions and bring about the lasting changes this province needed to get our fiscal house in order. We have done it in a balanced way. We put in place a social contract to trim \$2 billion a year from the public sector payroll and to make those savings permanent. Our expenditure control plan will save government a total of \$4 billion. Those measures and others have allowed us to cut program spending both last year and this—an achievement that no Ontario government managed in the 50 previous years.

More important than our record on spending is our approach to it. At every step we have worked with our partners throughout the public sector in Ontario. With their help we have reduced spending without harming vital services that people depend on and without triggering the tens of thousands of job losses that would have followed from a harsher approach.

It is always easier to say, "Cut faster," but that rhetoric never admits the costs. Right now, we are seeing people elsewhere in Canada pay those costs, which are measured in security, fairness and human dignity. We must never forget that public services and public assets are woven tightly into our economy, and to tear them out unthinkingly weakens that entire fabric.

That is why we have taken a unique and measured approach to managing spending. We have focused on priorities. We have cut our own overhead costs by 16% in the past three years. We have found ways of making services more affordable, and shifted money to where the needs are greatest. Our community colleges have managed a 15% increase in enrolment in the past three years with less funding. Our school boards have been able to handle 3% more students over the past two years, even though funding has not increased. That's been achieved by trimming administration costs and getting a bigger share of funding into the classroom.

Health care spending has been basically flat, but we're managing the system better. Hospitals are handling 9% more cases with 20% fewer beds because stays are shorter and more people are being treated in day surgeries. That's allowed us to free up urgently needed funds for cancer and cardiac care.

Our approach has brought Ontario's deficit down by more than 30% from two years ago—without destroying services, without laying off thousands of workers, without sending a recovering economy a shock it could not absorb.

We remain committed to balancing the operating budget by 1998, and we will meet that target with the same commonsense approach that has brought us this far. For 1995-96, this means that we will stick to the commitment we made to our transfer partners two years ago. Funding levels will be maintained for the coming year.

With these announcements today, transfers to schools, hospitals, municipalities, colleges and universities will total \$15 billion in 1995-96.

The Social Contract Act will expire as scheduled on

March 31, 1996. Our current fiscal plan reflects our intention to maintain funding to our partners at the existing levels for the 1996-97 fiscal year as well. However, our plan depends on action the federal government may take to reduce its own deficit.

Over the past four years, in decision after decision, the federal government has entrenched unfairness in Ontario. They unilaterally capped payments of the essential funding we needed for social assistance at a time when our needs were greatest. We have been shortchanged on training and on immigration funding. These and other actions will cost the people of Ontario \$8.6 billion this year alone.

Now the federal government has made it clear that they intend to cut further into transfers to the provinces. Because of that probability, we cannot give our partners the guarantees they deserve on funding for 1996-97. Such federal cuts would have a direct impact on provincial funding for programs and services. We can only make our case with our partners to the federal government.

The work of reforming Ontario's public sector began in earnest three years ago, and since then we have achieved a great deal. But the job isn't done yet. We must continue to meet the challenge of reshaping Ontario's public sector to keep public services affordable in the future. The expiry of the social contract, our transfer announcement today and future federal cutbacks underscore this fact.

That is why I'm announcing today new ways in which we will help Ontario's public service and the broader public sector meet their goals. These new measures follow directly from the efforts we have made in the past to handle change in a way that is sensitive to the needs of workers and communities, and it is similar to the approaches we have taken to assist our private sector partners in dealing with change.

It will focus on the public sector's most valuable asset: its workers. We have consistently demonstrated our commitment to people affected by restructuring by offering labour adjustment support and by creating programs such as the wage protection fund and the worker ownership program.

Our strategy promotes cooperation between employers and employees. Through such initiatives as the sector partnership fund and the Ontario Training and Adjustment Board, we have consistently encouraged workers and management to tackle their problems and plan their course together.

Our plan for the public sector builds on these approaches by using workers' skills, energy and experience to make changes that improve their work lives as well as their service to the public. It ensures that those affected by change have the chance to use their skills in new ways to serve the public, and it bolsters cooperation to better plan for the future.

This restructuring strategy will help manage public sector change in a way that is planned, humane, democratic and creative. It creates a foundation for positive workplace change.

We will support this initiative by expanding access to

the resources of the \$300-million job security fund created by the Social Contract Act. The success of the social contract in avoiding layoffs has meant that use of the fund has been minimal. We will therefore move resources from the job security fund to support these broader restructuring programs, which will run to April 1, 1997.

Our restructuring package has three major components. First, to help workers who are affected by change to find new jobs and to help employers find skilled and experienced people, each sector set up under the Social Contract Act must establish a job registry, a task that many sectors have already begun. All sectors are to have a registry up and running by March 1, 1995. These registries, to be run by sector panels, will match laid-off workers to new opportunities in the public sector.

Second, we will increase our support for training that leads to new opportunities. We will help organizations retrain workers for new jobs, either at the same workplace or a new one. We will provide income and training support for employees listed on the job registry and, when necessary, we will pay for any skills upgrading needed by employees hired from the job registry.

Third, we will promote new ideas by sponsoring a number of demonstration projects. These will highlight workplaces where partnership between workers and management is creating innovative approaches that save money and maintain services. In order to make sure workers are involved in change, an organization's access to the training program and to the demonstration projects will depend on the restructuring plans that are developed jointly by labour and management.

Finally, access to these two programs will be conditional on participation in a sector's job registry.

This strategy for supporting change in our public institutions is unique. It is the most comprehensive public sector labour adjustment strategy anywhere in North America, and it's good for everyone.

It is good for our public agencies. It will enable—

Interruption.

1400

The Speaker (Hon David Warner): Minister.

Hon Mr Laughren: In case anyone may have missed the last sentence, I'll repeat it.

This is the most comprehensive public sector labour adjustment strategy anywhere in North America, and it's good for everyone.

It is good for our public agencies. It will enable organizations that deliver a broad range of public services to make the changes necessary to improve efficiency, while ensuring that they have the skilled employees they need.

It is good for public sector employees. It will provide a measure of security and opportunities to continue to serve the public. It also will give our employees a voice in how workplaces change.

And it is good for the people of Ontario. Our strategy will promote efficient and affordable government while assuring access to important public services in the years

to come. It exemplifies our measured and thoughtful approach to change.

We and our partners in Ontario's public sector have already made tremendous strides by working together. Today's announcements will help us to make those savings permanent, which will allow us to build tomorrow's successes on today's strengths.

I must acknowledge the huge contribution of the 900,000 public sector workers across Ontario and the many service organizations that are working with us to preserve jobs and public services. We could not have done it without their support.

Mr Gerry Phillips (Scarborough-Agincourt): I want to respond partially and then I'll ask my colleague from Oriole to respond. I'll respond to the first part of the statement, which indicates that things are just fine in Ontario and things are working well under the NDP government.

I would just say that the report the government put out last week is really a report card on the four years of the NDP government. One only has to look at the four years of the NDP government to see that even in 1994, even with the economic recovery, the social assistance caseload continues to rise substantially. These are the government's own numbers indicating that social assistance continues to rise.

The government's own numbers: Jobs created in 1994 are going to be fewer in Ontario than they were in 1993. So we have the economic recovery, but it isn't a people's recovery. It isn't seeing job growth larger than 1993; in fact, fewer jobs created in 1994 than in 1993.

The statement goes on to say that the deficit is going down by 30%. For those people watching, the Provincial Auditor is our independent individual who monitors the finances. The independent auditor does not agree with the government. As a matter of fact, as colleagues will know, two weeks ago at committee the auditor said that the deficit is not going down. In fact the deficit, according to the Provincial Auditor, in 1994-95 will be higher than it is in 1993-94. This statement says the deficit is going down by 30%. The Provincial Auditor says, using any accounting rules you want, the deficit is going up.

So as we look at this report card on the NDP, the four years of this government, there is a record number of people on social assistance, fewer jobs created in 1994 than we had in 1993. The deficit, according to the independent Provincial Auditor, is going up in 1994, going up this fiscal year, not down.

What we have is a statement today by the government indicating its plans have been working. Fortunately, we are beginning to see some economic growth in Ontario, but we have dug an enormously deep hole and it is going to require years and years for the economic engine of Ontario to climb out of that hole.

Mrs Elinor Caplan (Oriole): What I'd say to the Treasurer today would echo the words of the protesters who are here in today's gallery. They said it all when they said, "This is not what you promised." What we have here today is a \$300-million shell game.

The announcement today leaves us with more ques-

tions than answers. It is an admission that the previous job training program was a failure. We know the chaos that was caused and the insecurity that was caused by the social contract. Now we are seeing the results of that chaos and that insecurity. This is yet another on a long list of failures of this government. We have seen a lot of words, a lot of action, and certainly we have not seen good management.

I would say to the Treasurer on his announcement today that he is very defensive about his statement, and for good cause: Nobody believes it. Everyone knows it's a shell game. People know it is not what you promised. It gives very little confidence to the people of this province who are workers in the broader public sector delivering the important services to the people of this province. I would say to you, sir, that the announcement that you made today gives them no comfort that the future for them will be one where they can depend upon what the future holds.

I would say to you that the \$300-million program is a reallocation from an existing program that also had no criterion that anyone could understand, an inability for anyone to access those funds, and that's the reason why you have now reallocated it to a program which we believe, because of the lack of criteria, the lack of ability to access, will leave workers in the same precarious position as they have been in since the announcement of the social contract. This gives them no confidence, and this gives them no confidence that this government understands what the issues are or understands what the needs of real retraining and restructuring are in the province of Ontario.

I repeat: This is a \$300-million pot of money looking for a program. It's an announcement of the government, but it is another admission of failure.

Mr David Johnson (Don Mills): The issue here is trust. If the Minister of Finance called "Fire," no one would leave the building. Three years ago, 1992, there was an arrangement with the municipalities of Ontario of a 2, 2 and 1 formula—gone. Last year, there was an arrangement with the municipalities, a formula—gone. Along came the expenditure control program in mid-year with no consultation to the municipalities. Last year, the social contract program—very little consultation in mid-year.

Now it's expected that the cuts will be permanent, when in fact what was put forward was a makeshift, naïve, ill-planned proposal: the social contract. There's bragging about the fiscal arrangements of the province of Ontario, bragging about the deficits. In actual fact, that's the fantasy. The fantasy is the 30% reduction. The reality is four years in a row exceeding \$10 billion a year in borrowing in the province of Ontario, a debt under this administration that has increased by 113%—four credit downgradings in four years. This province under this government inherited a AAA rating. We now have a AA-rating in the province of Ontario.

And yes, let's point the fingers at the Liberals. The Minister of Finance points the finger at the Liberals and said: "If Liberal spending had been kept under control, then we'd be in a better situation today. If the Liberal

Party hadn't increased welfare payments by 60% during its period of time, whereas the NDP have only increased welfare payments by 14%, then we'd be in a better position today." That's absolutely correct. The NDP inherited the spending follies of the Liberal government; no question about it.

But what have they done? What has the NDP done during its tenure? Increased spending. The debt in the province of Ontario will be \$90 billion at the end of this year. That is reality. There will be fewer people employed in the province of Ontario at the end of this year than there were in 1990 when this government took office. There will be 200,000 fewer people employed in Metropolitan Toronto this year than five years ago.

1410

We urged this government one year ago to make the cuts that were needed to put Ontario in a proper financial position. We said, "Make the cuts and make them permanent," during the social contract debate. We said, "The cuts have to be across the board and they have to be permanent." We put forward amendments to that effect; it didn't happen. We said: "If you don't do that, what is going to happen is that the costs are going to balloon. At the end of the social contract process, there is going to be a problem." Indeed, there will be a problem: There will be hundreds of millions of dollars that will be pent up in 1996.

Think of the vital services, the police services, the ambulance services, the fire services, vital services where the cuts have not been made but have been deferred until 1996. Think of areas that have been mandated, such as homes for the aged, such as day care centres, where the payments and the staffing have been mandated, where again the cuts have not been made. Think of those costs that are accumulating.

Think of the grid system that the teachers of the province of Ontario are demanding restoration of. All of those costs are hanging over the people of Ontario like a boulder that will be dropping to flatten the taxpayer unless those cost cuts can be made permanent. We urged you, Mr Minister, to make those cost cuts permanent a year ago. You chose not to, and now this is the disastrous situation we're in: hundreds of millions of dollars in 1996. The taxpayers are going to pay the bill for this failed social contract process.

ORAL QUESTIONS

NON-PROFIT HOUSING

Mrs Lyn McLeod (Leader of the Opposition): My first question is to the Minister of Housing. Minister, you'll be well aware that this past weekend there were media reports of a \$10-million non-profit housing project being taken over by an insurance firm when almost half the bills went unpaid. May I ask you, Minister, how did the Unity Village project in Ajax, sponsored by Local 183, end up owing \$4.8 million in unpaid bills on this project? And I ask you what the government's total liability is on the project now? How much money may the taxpayers have lost so far on this particular project?

Hon Richard Allen (Minister of Housing): The member will know that projects like this are normally

insured either totally or largely with bonding agencies, and the insurance is with the construction company in question. When there is some difficulty between those two, as there was in this project, that the contractor did not fulfil the performance requirements with the insurer, the insurer took action. The insurer has since replaced the company in question with another construction company. As far as the ministry is concerned, there is no liability, no money has been lost and the taxpayers owe nothing.

Mrs McLeod: Over the past few years, as again you are well aware, there have been continuing stories about mismanagement in non-profit housing. In 1992, the Provincial Auditor warned you, warned the ministry, that ministry staff were not filling out required inspection reports monitoring the status of non-profit projects during the course of construction, yet during 1993, when the Unity Village project was being constructed, when the subcontractors were going unpaid, the ministry was apparently unaware of the problems that were developing.

Given the reports that we've seen from the auditor, repeated reports, given the examples of cost overruns, the examples of mismanagement that we've seen before, how could this happen yet again? How is it possible that there could have been a default of almost 50% on the bills for this project without your ministry being aware of what was going on?

Hon Mr Allen: I would remind her that the union in question, Local 183, has three projects with the ministry, two of which were contracted for under your past government. Two were denied by our government and one in fact has been accepted, which is the Unity Village project.

With respect to the nonsense that the Leader of the Opposition is talking about—mammoth problems in the delivery of non-profit housing by the ministry—let me remind her that there are 1,200 projects out there under the ministry and 1.5% of them have some order of difficulty, and we have located those ourselves as a consequence of our compliance reviews, our audit reviews and all the rest.

Since your government left office, we have tightened all the regulations, systematized the whole non-profit program, tightened up the auditing arrangements so that the accountants now give us a much fuller report on the program, and we have no problems at all that are not in hand.

Mrs McLeod: If the minister feels there are absolutely no problems at all in the management and the ongoing supervision of non-profit housing projects, if there is no problem with a lack of controls, then the same question applies: How is it possible that there could be a default of almost half the bills on a non-profit housing project? Surely the ministry responsible for that kind of project has a responsibility for making sure those controls are in place on an ongoing basis, and this government has not addressed concerns—not just opposition concerns, Minister, but concerns of the Provincial Auditor.

But in this case there may be more than that to this particular issue, and I would ask the minister very directly if he could explain the allegations that have been made by some of the subcontractors on the project that

the liens they filed on the non-profit project include costs for a commercial building next door. I would ask that you give us that explanation. I acknowledge that those are allegations, but I think it's legitimate to ask you for an explanation in this House, for your understanding of that.

I would also ask, given the other investigations that have surrounded Local 183's participation in government programs, including Jobs Ontario Training contracts and other government projects, will you launch an investigation into the management of this particular project and the outstanding unpaid bills?

Hon Mr Allen: The member is totally confusing the relationship between insurers and construction companies on the one hand, and the ministry's involvement and its investigation processes on the other. There is no essential connection between the two. We have monitored this project, been in touch with it, and when it had difficulties we have tried to help the parties work them out, but there is no connection between us and that operation as such.

The allegation that there is money lost to the taxpayers is not a matter of any substance at all. And as to the issue with relationship to the commercial building in question, the ministry has totally been on top of that. There is no connection between the two projects. There has been no money spent from the ministry or public funds for the commercial building whatsoever. This is a housing story flop, not a housing flop.

The Speaker (Hon David Warner): New question.

Mrs McLeod: I gather the answer from the minister was no, he's not prepared to have an investigation to determine whether there is substance to the allegations and the concerns.

WORKERS' COMPENSATION

Mrs Lyn McLeod (Leader of the Opposition): I'll place my second question to the Minister of Labour. Minister, today you are going to use your government's majority to force through the passage of Bill 165, a bill that will really do nothing at all to address the very serious crisis that faces the workers' compensation system. You may not be aware, Minister, that while we're voting in the House today, the bureaucrats are plotting strategy apparently intended to circumvent Bill 165.

On November 17, officials of the Toronto and eastern Ontario office of the worker adviser held an information session in Mississauga for people who work with injured workers. They told the meeting that it is the strategy of the office of the worker adviser to appeal every case where the Bill 165 supplement is denied. Their stated purpose in doing so is to tie up the system in order to force changes. Minister, were you aware that bureaucrats are advocating this kind of strategy, and if you were aware, can I ask you who it is who's driving WCB policy? Is it you or is it your bureaucrats?

Hon Shirley Copen (Minister of Labour): I have listened to the Leader of the Opposition with interest. I don't have a comment to make to her remarks because history proves that many, many times in this House her remarks are totally inaccurate, so I wouldn't even waste my time answering them.

Mrs McLeod: Again I can assume that the ungiven answer is no, the minister was not aware that her bureaucrats are advocating the strategy to tie up the Workers' Compensation Board system. I would perhaps have to remind the minister, then, that this office, the office of the worker adviser, is a service of the Ministry of Labour. Its mandate is to assist injured workers with their WCB claims. Its mandate is not to establish board policy. Minister, you establish board policy. You're establishing WCB policy with the legislation you're going to force through the House this afternoon.

1420

You may be aware that in your Bill 165 you are not expanding WCB coverage to include stress, yet at this same meeting your bureaucrats advised people who work with injured workers to substitute the word "stress" with the words "psychosomatic incident." It appears to be some kind of code word that is allowing claims for situations that are not covered by board policy to slip through the system.

Minister, how can you force passage of a bill today when your own bureaucrats are publicly advocating strategies to undermine it? How can employers have any confidence in your ministry's supposed reform? But even more important, how can injured workers, whose cases are going to be backlogged for years as a result of these kinds of guerrilla tactics, have any faith at all in your ministry?

Hon Mrs Coppen: The staff who work in the office of the worker adviser are not bureaucrats. They are very hardworking people who have made the workers' compensation group work very well.

Mr Chris Stockwell (Etobicoke West): Who pays them?

Interjections.

The Speaker (Hon David Warner): Order.

Hon Mrs Coppen: You can laugh all you want. They have been doing their job to the best of their ability, helping injured workers. And today we're having condensation of Bill 165, which is going to be very good for injured workers in this province. This government, this side, does care about injured workers. That's why we're putting in extra money to help people over the age of 70. People who were not covered—

Interjections.

The Speaker: Order.

Hon Mrs Coppen: —with the additional \$200 a month we're going to put in. I don't want to hear negative remarks about the office of the worker adviser if it's not constructive. They have worked very hard the last couple of years, under shortages of staff, to make sure that injured workers' needs are addressed properly.

Coming from the opposition, condemning this staff is absolutely ridiculous. The staff should be commended for the work they're doing for injured workers.

Mrs McLeod: I simply asked the minister whether she was aware that people who are providing a service offered by the Ministry of Labour are deliberately advocating a strategy to undermine the very legislation

that this government is forcing through in what it believes to be good policy for workers' compensation for injured workers in the province.

I trust not mistakenly, I was under the impression from the government's own document, Working in Ontario, that this office is not a part of the Workers Compensation Board—

Interjection.

The Speaker: Order, the member for Chatham-Kent.

Mrs McLeod: —but is indeed a service of the Ministry of Labour, and felt it was appropriate to ask the minister to respond to the concerns.

The minister will indeed hear us criticize Bill 165. We have a lot of criticisms of Bill 165. We don't think it goes nearly far enough to reduce the \$13-billion unfunded liability of the WCB. We don't think it addresses the problem of rising WCB premiums. It threatens to kill the system of experience rating. Equally, Bill 165 doesn't do nearly enough to make the Workers' Compensation Board system work efficiently and effectively for the very injured workers who need to have their claims dealt with quickly and fairly.

Now we have the spectacle of an office funded by employer assessments advising people to appeal decisions, submit claims to circumvent board policy and tie up the system even more than it is tied up now. Minister, what action are you prepared to take to stop these actions at the office of the worker adviser?

Hon Mrs Coppen: The office of the worker adviser is in place to assist injured workers, and Bill 165 is going to carry through our government's mandate of helping people who have been hurt. When the opposition talk to me about the unfunded liability, their memories are very short to not remember that the unfunded liability doubled in the four or five years that they were managing this government.

Bill 165 is going to help injured workers, and I don't know that the comment she's making that the office of the worker adviser is sabotaging this bill is fact. I stand firm supporting that office and the work it has done for injured workers and will continue to do.

Today the opposition is very upset because we are going to have third reading of a bill that is going to help people in this province. They just can't stand it.

SOCIAL ASSISTANCE

Mr Cameron Jackson (Burlington South): My question is to the Minister of Community and Social Services. Minister, since January approximately 180,000 jobs have been gained in Ontario, but also since January 18,000 caseloads have been added to the social assistance system in Ontario. Minister, why is it that in Ontario welfare cases are increasing at a time of economic growth? Can you explain this prosperity paradox?

Hon Tony Silipo (Minister of Community and Social Services): It all depends, quite frankly, on what figures one chooses to use. The member is right that in the period from January to March caseloads have continued to increase, but I think he would also be the first to acknowledge that since March the caseloads have in fact been coming down.

We're just releasing—people were working on the final numbers even as late as this morning. The indication for the last month, November, is that there has been a slight increase, which is not surprising given the seasonality that's historically been in the social assistance system. Overall, we are seeing fewer people on social assistance today than we had in March of this year, and that is a reflection both of the continued improvement in the economy and certainly of the kinds of actions that this government has taken through Jobs Ontario Training and other initiatives to help get people on welfare off welfare and back to work.

Mr Jackson: Minister, I only have to look at your own Treasurer's Ontario Economic Outlook figures to find you're projecting growth in social assistance cases.

The fact is that welfare rolls have steadily grown every year in Ontario since the recession of the early 1980s, no matter how strong the economy has been. Since you took over in government, the average length of time recipients were on general assistance was seven months, and today that figure has been stretched to 14 months as the average stay for a welfare recipient on social assistance.

There is therefore a clear trend developing in our province, a troublesome trend, a prosperity paradox. If we don't take action now, there are going to be serious consequences to our economy. What is needed is a comprehensive plan to tie welfare payments to work and to training, and to reduce benefit levels, because we're 30% higher than anybody else in North America. We're like a magnet to everybody who wants social assistance. We should be tightening eligibility and accountability.

Minister, my question: Why is it that you refuse to look at any of these comprehensive plans when Mike Harris and the Conservatives have clearly put forward a plan for your consideration? You refuse to consider even any elements of these necessary and specific reforms for Ontario.

Hon Mr Silipo: Unlike the Conservative Party, we don't assume that people are sitting around on welfare because they'd rather be doing that than being out in the workforce. We assume that most people who are on welfare would rather be working and we assume that the reason so many people have had to rely on social assistance has been because of the deterioration of our economy, which his former Conservative cousins in Ottawa did nothing but make worse because they completely forgot about Ontario and the fact that the economy of this country rests in large part on what happens here in Ontario.

They put us in a position where, through the free trade agreement and other initiatives they took, we saw job after job being lost. We have a high dependency rate, which is compounded, I might say, by the tighter rules we have around unemployment insurance in this province relative to other provinces. So that means people have to go on social assistance sooner in Ontario than they do in other provinces, again because of the unemployment insurance rules that the former Conservative government in Ottawa has put in place and which have been, unfortunately, perpetuated by actions that the present Liberal government in Ottawa has taken.

We believe that what we need to do is to continue to put into the system supports for people who are on welfare to be able to help them to exit from dependency on welfare, to be able to get jobs and keep jobs. That's what we're doing through Jobs Ontario Training, that's what we're going to do through programs like JobLink, and that's the kind of supportive way in which we believe we will make the welfare rolls come down, which is clearly our objective.

1430

Mr Jackson: It's starting to sound like a broken record for the last four years. The fact is, for every 100 jobs that are created in Ontario, 10 people march into a welfare office and lay claim for social assistance. Those are the facts. I'm asking you, Minister, why is it that you and the provincial Liberals seem to be the only ones who don't understand that the system is fundamentally wrong and needs a major overhaul?

I want you to consider what people across Canada are saying: Roy Romanow, the Premier in Saskatchewan; the new Labour Party leader in Britain; Liberal Premier Frank McKenna; former Liberal Treasurer Bob Nixon; and even Bob Rae. The Premier recently told the Empire Club, and I want to quote from his speech: "Welfare has, for some, become a permanent source of income and a permanent way of life. Welfare should not be a permanent destination." We in the Conservative Party agree, which is why we can't understand your answer.

Minister, isn't it time for a major overhaul of Ontario's welfare system, an overhaul that other provinces feel they can proceed with and do without the support of the federal government because it's important that they turn their economies around? Minister, will you ensure that you will implement immediate reforms in Ontario in order to stop this prosperity paradox, where every time a new job is created, more people go in for welfare in this province? Will you implement the reforms called for by Mike Harris and the Conservatives?

Hon Mr Silipo: In a word, no. We will not implement the kinds of reforms that the Conservative Party would want us to implement, because we do not believe in that slash-and-burn-and-cut approach. We do not believe that by reducing benefits by 20% you do anything but create a higher level of poverty in this country and in this province. What you do when you do that is you hurt the 500,000 children who now, through no fault of their own, have to rely on social assistance payments. That's not the way to reform the system.

We believe we need to change the system. We believe we need to break the dependency on social assistance. I agree, as my Premier has indicated, that welfare should not be a permanent destination. We agree with that. We believe very fundamentally in that. But the big difference between the Tories and the New Democrats is that we believe in getting there in a way that supports people, in a way that believes that there's goodness in people, that in fact says that people want to work and if we provide those opportunities, if we provide those links back to the workforce, people will take advantage of those opportunities.

That's the direction we want to go, and I'm proud to

say that that's a different approach than the slash-and-cut-and-burn approach that the Tories would take.

NON-PROFIT HOUSING

Mrs Margaret Marland (Mississauga South): My question too is to the Minister of Housing. Last spring and last summer my leader and I raised scandal after scandal in this House involving non-profit housing. The problems included conflict of interest, misuse of taxpayers' dollars and even criminal activities.

Two years ago, the Provincial Auditor warned us of widespread mismanagement and misuse of public funds in non-profit housing, and I emphasize it wasn't the opposition parties, it was the Provincial Auditor. Cases keep coming up to prove how right the auditor was.

Today I listened very carefully to your answer to the leader of the official opposition following up on the James Wallace story in the Toronto Sun. When I hear your answer, and the fact that you've already told us that you do understand the story behind the \$10 million in public funds, can you explain why, in light of your answer, some of the subcontractors claim that the liens they filed and have since paid for covered the work and materials for the commercial building next to the project?

I heard your answer to the leader of the official opposition. I want to hear your answer again in order to know that you understood the question.

Hon Richard Allen (Minister of Housing): They claim to have uncovered scandal after scandal; all they did was repeat one or two instances over and over again. Where there has been one major instance, we have withdrawn the funding from that project totally. So we are taking action on all the issues. The auditor's report had to do with projects that he examined in 1992 that came out of the Homes Now project, which we have since totally rectified.

The issue that you're asking me about specifically, to the third-party critic, I simply say that those are allegations. The ministry has examined all the allegations. There is no substance to them. There was no money paid that was leaked in any way, shape or form to the commercial building, and every subcontractor that 183 was concerned about and which laid charges and sued for compensation under the commercial liens act, that has all been paid. The subcontractors have been paid. This is a project that is coming in under budget and everything is in order.

Mrs Marland: Minister, I would like you to explain to the taxpayers of this province, if everything is so perfect in non-profit housing and government housing in this province, why the taxpayers in this province are paying \$800 million in a bill to KPMG for investigating a scandal and mismanagement of funds.

Minister, in terms of the situations that I've brought to your attention this afternoon, an audit revealed that Local 183 tampered with a receipt to try to hide the real use of supplies. Metro Toronto's fraud squad has been called in to investigate. I'm sure that as Minister of Housing you can agree with me that given these serious allegations, there is good reason to investigate Local 183's non-profit housing in Ajax. I ask you simply, will you ensure that

a full inquiry, including a forensic audit into the failure of Unity Village, takes place?

Hon Mr Allen: First of all, with regard to accuracy, it might be useful to correct the sum that KPMG was paid in order to do the investigation. It was not \$800 million; it was \$800,000. It was 10 times smaller than the member alleges.

It was a very wide-scale investigation into a housing project that has 130,000 persons housed in it, 30,000 units of housing, an administration that is very, very large with many, many facets and a very complex series of problems. We wanted to get to the bottom of that and we were determined to spend the money to get the answers that we needed in order to fix the Metro Toronto Housing Authority, which we are now doing, as the member knows.

Mrs Marland: Obviously, I did mean \$800,000, but the point is, if this minister is standing in the House saying everything's fine, then why would we need to spend one single dollar if everything was so perfect? That kind of answer is a little interesting, especially when the minister is avoiding the real issue of the question that I'm asking today, and I would like to tell this House that Local 183 of the Labourers' International Union is not the only union group with a questionable involvement in non-profit housing.

Local 793 of the International Union of Operating Engineers has had its assets signed over to the Canadian Imperial Bank of Commerce. Among those assets is a \$32-million mortgage on the local's non-profit apartment building on Don Mills Road.

Curiously enough, this apartment building is next door to another Local 183 cooperative housing project on Don Mills Road. Last Friday, again, James Wallace, in the Toronto Sun, reported that members of Local 793 are calling for a police investigation of their own local.

If what we see here is just the tip of the iceberg, we have to know what is below the water line. Last summer, when my leader called for a full investigation into the provincial—

The Speaker (Hon David Warner): Would the member place a question, please.

Mrs Marland: —non-profit housing program, we said that this was necessary because we needed a similar investigation to the one in the Metro Toronto Housing Authority.

I ask you today, will you agree to expand the terms of the investigation by KPMG to include the provincial non-profit housing program?

Hon Mr Allen: I do not propose investigations into anything on the basis of stories that are written in the Sun and repeated in this place by the third party's critic for Housing, so anything that I do will obviously be based on more substantial grounds than that. I'd only say to the member that when she brings internal matters from a union operation onto the floor of this House, and that members are alleging this and alleging that and asking for investigations, that is not something that principally involves you or me, but it's important, of course, to the union members and they should pursue it.

What I'm saying to you, however, is it's rather strange for you to be standing up and criticizing us for spending even \$800,000 on an investigation on one aspect of public social housing and then to turn around and ask me to spend an equivalent amount of money to investigate something else which is based on pure allegation and on no foundational evidence that you've been able to allege. When you've got some evidence to give me, tell me about it and I'll look into it and take the appropriate measures.

1440

LONG-TERM-CARE REFORM

Mrs Barbara Sullivan (Halton Centre): My question is to the Minister of Health.

Interjections.

The Speaker (Hon David Warner): Order. The Minister of Health is not present in the chamber.

Mrs Sullivan: Perhaps I could address the question to the junior Minister of Health. My question once again relates to Bill 173 and the impact on workers who will be put out of work as a result of that bill and workers who will be affected in every single part of Ontario. The Minister of Health will know the impact on their lives will be substantial, whether or not they are employed by her new multiservice agencies.

We want to know, and we believe those workers want to know, what this government intends to do, what steps it will take and what steps it is already taking in terms of planning for dealing with the pension plans of those workers who will either no longer have jobs or who will be employed by a new agency or who are now employed by an agency which is forced to wind down its pension plan as a result of being put out of business as a result of Bill 173.

Hon Ruth Grier (Minister of Health): The member, as usual, makes a number of assumptions about long-term care, most of which I disagree with, and I predominantly disagree with her contention that there will be a loss of employment under our expansions of long-term care. In fact, she's the only person I ever met who believes that by investing a further \$400 million a year in a service, it will somehow mean less employment and not more employment.

But let me assure her that it is precisely because of our concern for the patients, because it is the seniors and the disabled that this legislation is for, and for them continuity of service and, if possible, continuity of caregiver is very important, it is precisely because of our understanding of that that we have included in the legislation amendments to protect the rights of workers and make sure that workers will not lose as a result of a shift, if they in fact shift to a multiservice agency, and that we have built in a period of transition so that over the next four years, as multiservice agencies are planned and come into being, precisely the kinds of adjustments she's talking about can be negotiated and dealt with.

Mrs Sullivan: The protection of the rights of workers that the minister speaks to is not on. The legislation itself provides a clear priority for protection of workers when they belong to a union before they're transferred. There

is no recognition, no equivalent recognition, of fairness or equity for those people who work in organizations now which are non-union shops.

As well, multiservice agencies may well be able to deal with some of the pension issues related to transfer of work, but only if this government assures those multiservice agencies that it will transfer the money to set up actuarially sound plans that match the provisions and benefits of the old ones.

But the problem is even more serious. The Victorian Order of Nurses' pension plan is a national one, and when the VON closes its doors in Ontario, which it is going to do, the national Victorian Order of Nurses' pension plan will be forced to wind down.

Minister, how do you justify legislation that strips workers of their pension rights, not only in Ontario but in every province of Canada? How can you do this?

Hon Mrs Grier: I said in response to the first question that the preambles were so often wrong and that I disagreed with them, and one of the things I should point out to the member is that the percentage of workers in the long-term-care system who have now the security of a pension plan is not very high and that for those who are part of a pension plan for a national agency like the VON, I can assure her that I believe—

Mrs Sullivan: What are you going to do for those people who work for VON in Alberta and Saskatchewan?

The Speaker: Will the member for Halton Centre please come to order.

Hon Mrs Grier: —we can discuss how in fact the transfer will occur. Let me also say to her that her contention that the VON is going to close its doors in Ontario is again something that I think is absolutely dead wrong.

Mr Chris Stockwell (Etobicoke West): They are the ones who said they are going to close. Don't you read your mail?

The Speaker: Order. New question. Is there a new question?

AUTOMOBILE INSURANCE

Mr David Johnson (Don Mills): My question is to the Minister of Finance, who is just arriving on the scene. Mr Minister, I have been receiving a number of complaints from individuals, and I suspect each of us in this House has received a number of complaints from individuals, with regard to auto insurance premiums.

As you know, it's not uncommon for auto insurance premiums to be going up by 15% to 20%. Minister, the motorists in Ontario have been subjected to the 5% personal sales tax increase that you implemented a year ago.

They're also being subjected and have been subjected to the Liberal OMPP plan, which up until very recently has accounted for just about all of the premium increases. In fact, what the insurance companies and what the brokers tell me is that Bill 164, your plan, has barely made its way into the pricing at all, and they tell me that unfortunately here in the province of Ontario we can look forward to another two or three years of double-digit auto insurance premiums when Bill 164 takes effect. By the

way, the public won't stand for that. There's going to be outrage.

The Speaker (Hon David Warner): Would the member place a question, please.

Mr David Johnson: My question to the minister is, what plans do you have to bring control to the auto insurance premiums so that auto insurance will again be affordable to the people of Ontario?

Hon Floyd Laughren (Deputy Premier and Minister of Finance): I appreciate very much the call from the Conservative Party for more government intervention in the marketplace. The member is correct as well—

Mr Cameron Jackson (Burlington South): We are not listening to Mel Swart.

Hon Mr Laughren: There are limits.

The member is correct in that the increases that so far have found their way into the system have largely been due to the impact of legislation prior to Bill 164. I should tell the member opposite, though, that I disagree with him fundamentally that we're looking towards double-digit increases in insurance rates. That's simply not the case. There are cost controls built into the system that will prevent that.

As well, if I could be as candid as possible with the member, when we changed the legislation, going back to Liberal legislation as well as changes that we made, it did take a lot of the cost out of the court system and put it on to benefits that motorists received, injured people received, and in particular those who are seriously injured. So there's no question that there have been some increases, but at the end of the day there's less money going to lawyers and the court system and more money going to people who are injured on our highways in this province.

1450

Mr David Johnson: That may all be true, but there is more money coming out of the pockets of motorists to pay for their insurance, and there's no disputing that. Increases are going up by 15% to 20% in an era when the rate of inflation is 1% to 2%. People can no longer afford their auto insurance.

Let me explain to the minister why the increases are going to take place. Number one, the no-fault system that you have attracts fraud; there will be more fraud. Number two, the rehabilitation costs under your program are not in control. Number three, there will be increases starting in 1996 when the indexed lifetime pensions kick in for those people who cannot be fully rehabilitated to fully pursue the employment they had before. The insurance industry has no way to know how to fund that particular component or how much it's going to cost the automobile insurance premium holder to pay for it.

My question to the minister is, the pot is bubbling on auto insurance, the lid is about to explode; do you not have any suggestions today to tell us as to how your government is going to control these costs, or are you simply going to leave this whole débâcle to the next government?

Hon Mr Laughren: I would just say to the member for Don Mills that if he wants to see it blow up and the

lid come off, we need only step back and let the marketplace determine the rates. We're not going to allow that to happen. We have cost controls built in, so we disagree with your approach to controlling auto insurance rates in this province.

I would say to the member, there is no evidence that I'm aware of that a no-fault system has more fraud in it than a fault system. It's true that under any system you're going to have some people abusing it. That's always been the case and, I regret to say, probably always will be, but there's no evidence that the no-fault aspect of this insurance is leading to any more fraud.

As a matter of fact, I would venture the opposite, that there's less fraud in the system now, and there's certainly a discouragement of frivolous claims that eat up the dollars and go only into the pockets of the legal profession. That surely was of no benefit to injured motorists whatsoever, and I apologize to the legal profession in the assembly, because I know that they're not ambulance chasers.

But I would say to the member for Don Mills that we do believe that the costs are under control, and it's true; I would not deny that the 5% imposition of tax on the premiums had an impact on rates. There's no question about that, but I would say in conclusion that costs are under control in the auto insurance system.

INTERNATIONAL TRADE

Mr Randy R. Hope (Chatham-Kent): My question is to the Minister of Economic Development and Trade. Minister, last week in response to the minister's financial Economic Outlook, the Leader of the Opposition, who continues to stand on her soapbox looking as she does for bad news, pointed out that Ontario's trade deficit has increased and it does not reflect the actual economic growth.

I went to the Liberal research department today and I notice that "Ontario's 'Secret' Boom Belt" is in the paper.

Mr Pat Hayes (Essex-Kent): Theirs is the Sun.

Mr Hope: So I would ask the minister, tell me and other members of this Legislature, especially my constituents, is our trade deficit increasing?

Hon Frances Lankin (Minister of Economic Development and Trade): I found it quite amazing last week after the Minister of Finance's economic statement that the leader of the official opposition could come out with a press release that had four or five—so negative, their comments; so negative. She had to dig and separate and pull out statistics to be able to create this picture of gloom.

Let me be very clear: In terms of an international trade deficit, the leader of the official opposition says it's increased. In fact, she's right on that point, but I've got to put this in some context. Does that mean there's no economic growth? Absolutely not.

First of all, if the trade deficit is going up, we're only talking about international trade and on goods. We've had a trade deficit for the last 10 years, and in fact the biggest trade deficit that existed was in 1987, 1988 and 1989. So I guess the members opposite reigned over the

darkest, gloomiest days in the province of Ontario.

The Speaker (Hon David Warner): Would the minister conclude her response, please.

Hon Ms Lankin: We have record exports. Exports are higher than ever this year. The reason the deficit has gone up is that there are more inputs on business machinery and inputs. So the member takes good economic news—

The Speaker: Would the minister please conclude her response.

Hon Ms Lankin: —and turns it around. It is typical of her style of naysaying on everything that comes forward.

Mr Hope: As my colleague from Essex-Kent indicated, the Liberal research is the Sun and I have the Globe and Mail, and I apologize for that error. But as a supplementary to the minister, the Leader of the Opposition stated that the trade deficit does not reflect economic growth—and I know you have to be careful on this—is the Leader of the Opposition right or wrong?

Hon Ms Lankin: As I was pointing out, she was talking about one subset of figures on international trade and with respect to goods, and as I pointed out, our exports are at all-time highs. She didn't include services; she didn't include interprovincial trade. On interprovincial trade alone, we have a \$21-billion surplus. She reached very, very hard to paint this gloomy picture.

Let's take a look at the last four or five days in the newspapers. Look at all of the stats about unemployment. November: Ontario's unemployment at 8.7%. The member comes from southwestern Ontario, Windsor. I can quote from the Globe and Mail. It says, "Perhaps no place demonstrates the revival of the economy better than Windsor, where the jobless rate hit 14% two years ago, and now it's down to 7.3%." Put that beside 5.3% in London, 5.5% in Kitchener: Things are truly turning around.

Now, in your region of the province, legislative member—

The Speaker: Could the minister conclude her response, please.

Hon Ms Lankin: —there could be more economic growth. If the member opposite would stop being a naysayer, would in fact go after her federal colleagues to support ethanol tax changes that need to be made, we could have an ethanol plant in Chatham. Then we could have more jobs.

The Speaker: Could the minister please conclude her response.

Hon Ms Lankin: Maybe that's how the Leader of the Opposition could do something real for economic development in this province.

JOB SECURITY

Mr Steven W. Mahoney (Mississauga West): Unlike the former questioner, my question was not written by a member of the cabinet. My question, actually, I figured out by myself.

The Speaker (Hon David Warner): To whom?

Mr Mahoney: My question would be to the Minister

of Labour. Over the weekend, my leader Lyn McLeod and I—

Interjection: Who?

Mr Mahoney: Lyn McLeod—took part in a meeting in the town of Orillia with a number of businesses and people from those businesses, concerned citizens and municipal leaders—it was actually quite a well-attended meeting—concerned about losing their local branch rail line. This is a separate line from the Meaford-Collingwood branch line that we've discussed previously in this House, but it is also in jeopardy of being lost to the local businesses as a result of your Bill 40.

The residents told us that interested short-line operators say that the line is not viable if they have to hire all the different classifications of employees required under the successor rights provisions of Bill 40.

My question, Minister: Why will you not support our request to save this rail line by exempting short-line rail from the successor rights provisions of your Bill 40?

Hon Shirley Coppin (Minister of Labour): I refer the question to the Minister of Economic Development and Trade.

Hon Frances Lankin (Minister of Economic Development and Trade): I find this amazing for a lot of reasons, given who it is that in fact is abandoning the rail lines in this province. It isn't this government, but we'll come back to that. Let me say to the member opposite that I have met with people in that whole region of the province. I've met with municipalities, I've met with the shippers, with the plants there who are worried about this. I've met with potential investors who are interested in the short line and with the unions.

One thing that has happened over the last number of months that the member doesn't seem to have caught up to is that they have all come to the conclusion that Bill 40 is not an impediment at all. The unions have put on record, in writing, their agreement to sit down and to negotiate a collective agreement that is suitable to a short line. With the terms and conditions of the national rail agreements, they recognize that it would have to be one agreement. They've already said that they would do that. In fact, in another part of the province, they're already sitting down and doing it.

This is just nonsense to continue to try and hang this on one provision in one piece of legislation. The shippers know that. The municipalities know that. They've all agreed with me. We're working together to try and solve the problem. There is a creative solution: You could be of help, and I think you know how.

1500

Mr Mahoney: I'm quite fascinated, first of all, by the lateral from the Minister of Labour, who obviously is not aware of the seriousness of this problem, and particularly from the minister of apparently everything else in this government and the kind of flippant response to simply suggest that this is somehow the responsibility of the federal government.

The reality is this: You claim, Minister, that the municipalities know. Why were the mayors of all of Orillia and surrounding municipalities at that meeting on

Saturday demanding action by your government? Are they telling you one thing and us another? Are you calling the local municipalities liars in this case?

Minister, your Bill 40, the successor rights, let me be very clear about this. There is a time and a place for successor rights. Absolutely. There's a legitimate reason to protect workers' laws from corporate manipulation. That is not what we're dealing with here. We're dealing with short lines going from one small community to another. They cannot function if they have to assume all of the labour contracts that apply to the national railroad. They need your help. You cannot wash your hands of this and pretend that Bill 40 is not the problem. You can grant a simple exemption to allow them to negotiate fairly to save those rail lines. Don't try to pass—

The Speaker: Could the member place a question.

Mr Mahoney: —the buck. Deal with the exemption in your Bill 40. Will you do that today?

Hon Ms Lankin: I have to ask the member where he has been. His comments just now about the Minister of Labour are totally uncalled for. He knows well, as do other members who've been working on this issue, that the Ministry of Labour, the Ministry of Transportation and the Ministry of Economic Development and Trade have been coordinating their efforts on this initiative and that I have been given the lead. So it appropriately comes to me, and that is an inappropriate comment on his part.

Let's get down to the facts of this here. If this member was following what has been going on—I have been meeting with these communities. We have been trying to prevent—

Mr Chris Stockwell (Etobicoke West): You have been meeting with them for a year.

The Speaker: Order. The member for Etobicoke West is out of order.

Hon Ms Lankin: —VIA from abandoning these rail lines—

Mr Stockwell: All you do is meet.

The Speaker: Order.

Hon Ms Lankin: —in the first place. Let me say to the member, look at Exeter. Look at a line that was abandoned and where a short line has come in before this legislation. They've now been certified with the rail union and they're negotiating a collective agreement. We have in writing from the unions that they are prepared to sit down and negotiate a new collective agreement suitable to a short line and not bring their successor rights. There is no problem there.

I want to say to this member, if he talks about passing the buck in here, it is not this Ontario government which is ripping up the rail lines in this province; CN is. It's not this government which is abandoning parts of the communities and isolating them; CN is, and CN has one shareholder, the federal Liberal government. If you want to do something about it, talk to your counterparts.

LABOUR LEGISLATION

Mrs Elizabeth Witmer (Waterloo North): My question is for the Minister of Labour, and I hope she'll come to the defence this time.

Minister, our opposition to Bill 40 was based on the fact that it not only destroyed the delicate balance between unions and employers, but it did nothing to enhance the workplace relationships and communication. However, most importantly, what it did do was to diminish the rights of individual workers. Indeed, it is probably more accurate to say that it trampled all over the rights of individual workers.

Let me ask you about one of the changes in which you denied workers their rights. Bill 40 removed the right of workers who have signed union cards during a certification drive to change their minds and rescind their support for the unions. Further, your party rejected my proposal for giving workers the right to a secret ballot vote for certification as well as for strike decisions and collective agreement approval.

Minister, will you tell me why your government does not respect the rights of individuals to change their minds about joining a union? Will you tell us why you refuse to allow workers the right to a secret ballot vote for all certification applications?

Hon Shirley Coppin (Minister of Labour): If there was any piece of legislation that has ever brought workers and management together, it has been Bill 40. Prior to Bill 40, the adversary system that we had in this province was not working: long strikes, fights on the picket line, delays. It was only hurting business and it was hurting the working people. At least now, with a piece of legislation such as Bill 40, we're bringing all people to the table to negotiate.

When we talk about the certification, members have a long time to prepare and make their decision whether they want to join the union or not. Once the certification is signed, then we go on with the vote.

At no time will I ever speak against Bill 40. It is the best piece of legislation that working people have ever had in this province—well, maybe number two, after we get Bill 165, the workers' compensation.

Mrs Witmer: It's obvious, Minister, that you do not understand the modern-day workplace. There is a tremendous need for communication and cooperation, and that has been totally eliminated.

Minister, what you did was you enhanced the power of the union and the union leader but you stripped away the rights of the individuals, and one of the areas of concern for employees is certification. This process is confusing. There is no obligation for a union organizer to inform a worker of the rules for certification or the significance of signing a union card. Employers cannot discuss this process with their workers for fear of being accused of unfair labour practices and thus subject to automatic certification. And the labour relations board refuses to answer any inquiries.

Our party has listened to workers, and we believe their rights must be protected—

The Speaker (Hon David Warner): Would the member place a question, please.

Mrs Witmer: —and adequate information about the certification process provided. In order to do so, we are prepared to ensure that information is made available—

The Speaker: Could the member please place a question.

Mrs Witmer: —through the creation of a neutral office of the employee adviser. Minister, if you are as sincerely interested as you pretend to be about protecting the rights of workers, why have you not established a neutral office of the employee adviser?

Hon Mrs Coppen: I don't think the other member really has got it together what happened with labour and management in this province for over 90 years at least. The adversary system was not working, where there was intimidation for the worker—

Mr Chris Stockwell (Etobicoke West): Oh, come on. Why don't you have a secret vote?

The Speaker: Order. The member for Etobicoke West is out of order.

Hon Mrs Coppen: To build a better economy in Ontario, to build a better Ontario, we have to have these labour disputes stopped. We have to give rights to workers, and Bill 40 confirms those rights.

But also, as Minister of Labour, I have to work with the business community and we want that level playing field, and that's what Bill 40 accomplishes in this province: bringing labour and management together, making sure that the workplace does function, that we don't have long labour disputes. Bill 40 is going to be looked upon by other jurisdictions as the best piece of labour legislation.

NORTHERN TRANSPORTATION

Mr Tony Martin (Sault Ste Marie): My question is for the Minister of Transportation. In northern Ontario, there is no one issue that rises to the top more often when we discuss challenges to the way that we live and work and do things in northern Ontario than transportation, than the condition of our roads. Whether it's health care or whether it's getting the goods to market or whether it's driving our kids to school or whether it's recreating, we use our roads. Our roads are important.

But the problem is, our roads are also used by those who transport goods across Canada. We are a corridor from one end of the country to the other, so local needs and the safety of roads re local needs are often in conflict with the needs of the huge trucks that travel back and forth between Vancouver and Toronto, for example, on our highways. It's important that something be done about the condition of those highways, and my question today for the Minister of Transportation is, what is going on, Mr Minister, between your ministry and the federal government on a national transportation policy?

Hon Mike Farnan (Minister of Transportation): The federal transportation policy is something that we will be a willing participant in. It will cost the Ontario government some \$7.34 billion over the next 10 years, but the Bob Rae government is prepared to meet our federal counterparts dollar for dollar, because we believe in meeting the needs of the people of northern Ontario and providing them with the best transportation system possible.

1510

Mr Martin: That's great, Mr Minister. I was wonder-

ing in light of that just how we in Ontario are going to raise that \$7.34 billion to meet our commitment in that proposed scenario.

Hon Mr Farnan: Clearly the Ontario government's 50% will be budgeted through the normal budget allocations. The remainder will have to come from the federal government. One idea that has been put forward by the Liberal government in the province of New Brunswick was to have the federal government raise fuel tax by 0.8% per litre to fund this national program. I, however, remain concerned about this plan because the federal government already collects over \$1.5 billion every year from Ontario drivers in the form of fuel taxes.

Interjection: What do we get back?

Hon Mr Farnan: What do we get back? We get back zero dollars on Ontario roads, no money at all, even for the national corridor roads. The Bob Rae government is committed to the people of Ontario, the people of Canada, but the federal government and the 98 Liberal members in Ottawa—

The Speaker (Hon David Warner): Would the minister conclude his reply, please.

Hon Mr Farnan: —have shown that they are not prepared to give Ontario a fair deal. This is a very similar situation to previous—

The Speaker: Would the minister please take his seat. The question has been answered.

HOSPITAL SERVICES

Mr Carman McClelland (Brampton North): My question is to the Minister of Health. I'm going to try and incorporate both the initial question with what I anticipate will be, hopefully, a supplementary.

Minister, you would know that the associate base hospital program at Peel Memorial Hospital has been in operation for some two and a half years. You would also know that the region of Peel has the highest number of emergency calls of any region in the province of Ontario. Considerably more of the prerequisites for a defibrillation program were put in place in Peel than in a number of other jurisdictions which received the program. In fact, it seems to me that the evidence of the prerequisites having been met was the fact that in early August your ministry allocated funds for a defib program for the associate base hospital that would serve parts of Peel. Two weeks later, however, those funds were frozen.

My question is, why were those funds frozen, and, second, will you commit to reinstating the funding you promised in August? If in point of fact you're prepared to reinstate and commit to that, can we have some assurances that you won't do the process again: allocate the funds and, as you did in August, subsequently freeze them? In short, are you going to reinstate the funding, and, second, can we have some assurance that the moneys won't be frozen if we're to receive a favourable response?

Hon Ruth Grier (Minister of Health): First of all, let me say to the member that our ministry certainly supports defibrillation and the expansion of that service in centres around the province where there is a base hospital where there is a 911 number, because we believe

this service can save lives and is something that needs to be expanded.

As the member knows, we have made considerable progress in reallocating funds within the ministry, in taking that \$17 billion that we still spend on health care and spending it more wisely and more effectively so that we can do expansions, not only for emergency health services but for cancer care and for dialysis.

I certainly hope that over the course of the next few months we will be able to continue to do that. I'm well aware that north Peel is one of those communities where the prerequisites are met and where there is a need and where the service could be operated effectively. All I can say to him at this point is that we're looking at north Peel as well as other centres and, as funds permit, the service will be expanded.

PETITIONS

KETTLE ISLAND BRIDGE

Mr Gilles E. Morin (Carleton East): I have a petition submitted by residents of my constituency which reads as follows:

"Whereas the government of Ontario has representation on JACPAT (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or at any other location within the city of Ottawa core."

I will affix my signature to this petition.

DANGEROUS OFFENDERS

Mr Cameron Jackson (Burlington South): I have a petition to the Parliament of Ontario.

"Whereas Christopher Higginbottom is a known homosexual paedophile who has been released into the Burlington community even though he was diagnosed by medical experts as remaining highly at risk of reoffending; and

"Whereas Higginbottom was acquitted of another sexual assault involving a child on the basis of inappropriate and unjustified conclusions drawn by the trial judge in relation to the evidence of the victim, all of which are unjustified in law; and

"Whereas in rendering the decision to acquit Higginbottom, the fact of his breach of probation and the long history of his past sexual attacks on children was not adequately taken into account by the judge;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the Attorney General, Marion Boyd, undertake an appeal of this case and that she pursue amendments to the Mental Health Act of Ontario and/or support federal high-risk offender legislation to prevent the release of offenders such as Higginbottom into the community; and that the government of Ontario undertake to entrench within law a bill of rights for victims of crime."

I have 2,000 petitions signed, mostly from Burlington and Hamilton communities, and both sets of these petitions I have signed with my support as well.

PENSION FUNDS

Mr Randy R. Hope (Chatham-Kent): I'm proud today to stand in my place to present this petition on behalf of Joe Lessard, a constituent in Pat Hayes's riding of Essex-Kent, who's been out doing his job for what he feels is equity. It's addressed to the Legislative Assembly of Ontario.

"Whereas the NDP government has stressed that equality of treatment is essential in a modern society; and

"Whereas the former Liberal government chose to exclude thousands of workers in the Pension Benefits Act, 1988, whose employment was terminated prior to January 1, 1988; and

"Whereas workers are being denied access to pension funds that are in fact deferred wages;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to enact changes to the Pension Benefits Act that will enable workers whose employment was terminated prior to 1988 the option to (a) purchase a locked-in retirement account, LIRA, or a life-income account, or (b) transfer the pension moneys to a pension fund of the new employer, and that these workers be allowed the right to begin receiving payment from their pension funds or LIRA at the age of 55."

I support this petition in straightening out the inequities that were created by the Liberal government.

SUDBURY MEMORIAL HOSPITAL

Mr David Ramsay (Timiskaming): I have a petition here from the Sudbury area of 18,000 petitioners. They've asked me to do it because I guess the Sudbury members weren't interested in presenting it. It says:

"To the Legislative Assembly of Ontario:

"Whereas the Sudbury Memorial Hospital is the most fiscally responsible health care facility in Sudbury; and

"Whereas the Sudbury Memorial Hospital is the regional cardiovascular centre for all of the northeastern Ontario;

"We, the undersigned, support maintaining Sudbury Memorial Hospital as an acute care centre."

I will affix my name to this petition.

DRINKING AND DRIVING

Mrs Margaret Marland (Mississauga South): This is a petition to the Legislative Assembly of Ontario, which reads as follows:

"Whereas 81% of all driving fatalities are alcohol-related;

"Whereas 59%, or 18,000, of the 30,000 total convictions for drunk driving in 1992 involved repeat offenders;

"Whereas the Drinking and Driving in Ontario Statistical Yearbook released by the Ministry of the Attorney General's Drinking/Driving Countermeasures Office confirmed that drunk driving is on the rise;

"Whereas drunk driving is the number one killer of young people;

"Whereas the existing measures and penalties have failed to deter chronic drunk drivers from reoffending;

"Whereas driving is a privilege, not a right, and chronic drunk drivers have failed to take their driving responsibilities seriously;

"We, the undersigned, petition the Legislative Assembly of Ontario to enact Margaret Marland's private member's Bill 195, An Act to amend the Highway Traffic Act, or similar legislation prior to the recess of the Ontario Legislature on December 8, 1994."

This has 1,000 signatures and I'm happy to support it.
1520

SNOWMOBILE INSURANCE

Mr Mike Cooper (Kitchener-Wilmot): I have a petition that's just been started, and I understand more are going to be coming in this week. It's to the Legislative Assembly of Ontario.

"Whereas snowmobile insurance premiums have increased disproportionately to the economy; and

"Whereas increased premiums have the effect of forcing people to ride smaller machines which may not be suitable for families; and

"Whereas many snowmobiles have been blacklisted; and

"Whereas snowmobiling has over the years become a safer sport through better education;

"We, the undersigned, petition the Legislative Assembly of Ontario to investigate the needless and unwarranted increases in snowmobile insurance."

I affix my signature to it.

AUTISM SERVICES

Mr Tim Murphy (St George-St David): I am introducing this petition on behalf of the member for York-Mackenzie. It's addressed to the Legislative Assembly of Ontario and it's signed by numerous individuals from across Mississauga, Toronto and the surrounding communities:

"Whereas there is a dearth of therapeutic/educational programs for hundreds of children in the province of Ontario who have autism spectrum disorder; and

"Whereas 'Giant Steps Centre' for neuro-integrative disorders will provide the needed treatment and programming for these children and their families; and

"Whereas the 'Giant Steps' model has been presented to the triministry committee, the Ministry of Health, the Ministry of Education and Training, the Ministry of Community and Social Services, and the Premier's office;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario for help in bringing this project to fruition so that the needs of these children can be addressed."

I affix my signature on behalf of myself and that of the

member for York-Mackenzie.

LONG-TERM-CARE REFORM

Mr Robert W. Runciman (Leeds-Grenville): I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the Ontario government has given second reading to Bill 173, An Act respecting Long-Term Care, and clause-by-clause consideration of the bill;

"Whereas seniors and the disabled are entitled to accessible community-based care;

"Whereas we do not believe that Bill 173 will provide more cost-effective and accessible care;

"Whereas we, the undersigned, believe the government of Ontario must recognize and value the work of volunteers in this province;

"We, the undersigned, petition the Legislature of Ontario to ensure that amendments are made to Bill 173 to allow for provision of community care based on the needs of the local communities in Ontario and acknowledge the role of volunteers in the delivery of care."

I am affixing my signature to this petition signed by 20 residents of Leeds and Grenville.

PENSION FUNDS

Mr Pat Hayes (Essex-Kent): I have a petition to the Legislative Assembly of Ontario:

"Whereas the NDP government has stressed that equality of treatment is essential in a modern society; and

"Whereas the former Liberal government chose to exclude thousands of workers in the Pension Benefits Act, 1988, whose employment was terminated prior to January 1, 1988; and

"Whereas workers are being denied access to pension funds that are in fact deferred wages;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to enact changes to the Pension Benefits Act that will enable workers whose employment was terminated prior to 1988 the option to (a) purchase a locked-in retirement account, LIRA, or a life-income account, or (b) transfer the pension moneys to the pension fund of a new employer, and that these workers be allowed the right to begin receiving payment from their pension fund or LIRA at age 55."

They want this corrected, the errors of the previous Liberal government.

LONG-TERM-CARE REFORM

Mrs Barbara Sullivan (Halton Centre): I have a petition as a result of the provincial conference of the Business and Professional Women's Clubs of Ontario, which reads as follows:

"Whereas the proposed long-term-care reform to be implemented in Ontario beginning in 1995 has multiple interpretations regarding the integration and funding of private and not-for-profit services; and

"Whereas the issue of diverse consumer need and the importance of consumer choice could be significantly affected should subsidies be directed through the proposed multiservice agency; and

"Whereas private facilities and services will no longer

be able to compete with the government-subsidized services; and

"Whereas private services are owned, operated and staffed primarily by women, whose future employment is in question; and

"Whereas the government is simultaneously cutting expenditures and reducing services in both the affiliated ministries of Health and Community and Social Services, which reduces the government's capacity to meet the projected increased needs of our aging population; and

"Whereas care giving has traditionally been and is likely to continue to be the responsibility of women, thereby negatively impacting working women's earning power and potential for career advancement;

"Therefore, be it resolved that the Business and Professional Women's Clubs of Ontario strongly urges the government of Ontario to (1) ensure that the range and scope of long-term-care services be maintained and increased, (2) maintain an integrated system of profit and not-for-profit long-term-care delivery which is not controlled by the proposed multiservice agency, and (3) protect consumer choice between profit and not-for-profit service delivery agencies by eliminating the proposed 90% to 10% split." Mr Speaker, that should read 80% to 20%.

This is submitted from the executive of the Business and Professional Women's Clubs of Ontario, and I've affixed my signature.

WORKERS' COMPENSATION

Mrs Elizabeth Witmer (Waterloo North): I have over 200 petitions signed by approximately 1,050 employees and employers in the province of Ontario who are opposed to Bill 165 and are demanding its withdrawal. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the Ontario Workers' Compensation Board is in a state of financial crisis; and

"Whereas the future benefits of injured workers are at certain risk; and

"Whereas the Premier ignored advice from his own business advisers on his labour-management advisory committee to eliminate the unfunded liability and to ensure that the WCB does not negatively impact the competitiveness of Ontario business; and

"Whereas Bill 165 increases benefits at a time when the Workers' Compensation Board is experiencing negative cash flow;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Ontario government withdraw Bill 165 and accept the responsible business recommendations provided to the Premier to ensure the sustainability of the workers' compensation system."

I hereby affix my signature.

HEALTH INSURANCE

Mr Robert Frankford (Scarborough East): I have a petition which should be of considerable interest to Ontarian snowbirds.

"To the Legislative Assembly of Ontario:

"Whereas Canadians and Americans have been accustomed to travelling freely in North America and the price, availability, conditions and degree of coverage by health insurance, both public and private, are restricting that mobility, thereby jeopardizing the wellbeing of individuals and families as well as destabilizing tourism economies;

"We, the undersigned, call on the Ontario Minister of Health to discuss and arrange with the governor of Florida the establishment of reciprocal health insurance coverage for the residents of their respective jurisdictions."

LONG-TERM-CARE REFORM

Mr James J. Bradley (St Catharines): This petition is addressed to the members of the Legislative Assembly of Ontario:

"Whereas Bill 173, the long-term-care reform bill, if allowed to pass without necessary and appropriate amendments, will result in a lower level of service to consumers in the province; and

"Whereas the enactment of this legislation in its present form will increase the cost of the provision of care to the elderly and those in medical need; and

"Whereas the passage of Bill 173 will bring about a decrease in the number of volunteers available to organizations now directly involved in providing services in the field of long-term care; and

"Whereas local communities will lose control and influence over the delivery of long-term-care services even though they are best able to determine local needs;

"Be it therefore resolved that the government of Ontario be requested to amend Bill 173 to comply with the recommendations of service organizations who at present deliver home care to people in communities across Ontario."

I affix my signature to this petition, as I am in agreement with its contents.

Mr Robert W. Runciman (Leeds-Grenville): I have another petition related to Bill 173, the long-term-care legislation. This one was brought to my attention by Mrs Greta Cardiff of Brockville, Ontario: over 200 signatures expressing concern about the destruction of local agencies such as the Red Cross homemakers and the Victorian Order of Nurses if this legislation is passed as currently structured.

I'm affixing my signature to indicate my strong support for their concern.

Mr Bradley: Mr Speaker, I have another petition that reads somewhat the same as the last one.

Mr Randy R. Hope (Chatham-Kent): It probably was the same one.

Mr Bradley: No, this is a different one. This came from a different group of people.

This is addressed to members of the Legislative Assembly of Ontario:

"Whereas Bill 173, the long-term-care reform bill, if allowed to pass without necessary and appropriate amendments, will result in a lower level of service to

consumers in the province; and

"Whereas the enactment of this legislation in its present form will increase the cost of the provision of care to the elderly and those in medical need; and

"Whereas the passage of Bill 173 will bring about a decrease in the number of volunteers available to organizations now directly involved in providing service in the field of long-term care; and

"Whereas local communities will lose control of and influence over the delivery of long-term-care services even though they are best able to determine local needs;

"Be it therefore resolved that the government of Ontario be requested to amend Bill 173 to comply with the recommendations of service organizations who at present deliver home care to people in communities across Ontario."

This has signatures from people from both Metropolitan Toronto and the St Catharines area. I affix my signature to it, as I'm in agreement with it.

1530

REPORTS BY COMMITTEES

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr Paul R. Johnson from the standing committee on finance and economic affairs presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 190, An Act to amend the Securities Act / Projet de loi 190, Loi modifiant la Loi sur les valeurs mobilières.

The Speaker (Hon David Warner): Shall the report be received and adopted? Agreed.

Shall Bill 190 be ordered for third reading? Agreed.

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Mr Hansen from the standing committee on the Legislative Assembly presented the committee's report and moved the adoption of its recommendations.

Mr Ron Hansen (Lincoln): We started last December and our committee had quite a few other business items on our agenda. But I would like to thank many of the members of the committee, especially Norm Sterling and Murray Elston, who had experience when the report on the Municipal Freedom of Information and Protection of Privacy Act of 1989 was presented and helped the committee on some of the recommendations.

I move to adjourn the debate.

The Speaker: Is it the pleasure of the House that the motion carry? Agreed.

INTRODUCTION OF BILLS

PENSION BENEFITS AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI SUR LES RÉGIMES DE RETRAITE

Mr Hope moved first reading of the following bill:

Bill 203, An Act to amend the Pension Benefits Act / Projet de loi 203, Loi modifiant la Loi sur les régimes de retraite.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

Mr Randy R. Hope (Chatham-Kent): The bill I presented today will correct inequities that were caused by the Liberal government back in 1988. For those who have 10 or more years of service with their pension program, this will now allow those individuals portability.

I'm hoping that we will get support from all three political parties in supporting a number of people in my community. I believe the changes are long overdue and I'm hoping that I can gain the support of the members opposite in putting this legislation forward allowing people portability of their pension plans and to retire early from the workplace.

CITY OF ETOBICOKE ACT, 1994

Mr Henderson moved first reading of the following bill:

Bill Pr162, An Act respecting the City of Etobicoke.

The Acting Speaker (Ms Margaret H. Harrington): Is it the pleasure of the House that the motion carry? Carried.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): There are a number of items that we need to deal with before I call the first order. The bill which the member has just introduced from the city of Etobicoke, he has basically talked to, I think, all three caucuses and wishes to seek the unanimous consent of the House to have this bill referred to the committee on private bills for deliberations. So I would, on his behalf, seek the consent of the House to proceed in that fashion.

The Acting Speaker: Does this House give its unanimous consent to Mr Henderson's request? Agreed.

ORDERS OF THE DAY

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): As I said on Thursday evening, each day at the end of the day I'll be announcing the business for the following day, and each day at the orders I'll be discussing the procedural agreements that the House leaders have reached with respect to that day's sitting.

In that respect, it's our intention to proceed today as we did on Thursday, so that any votes that occur where there is a division after 6 o'clock shall be deferred until the following day at orders of the day; in addition to that, today on Bill 165, which will be the first order I call, if there is a division on that bill, that it be deferred until tomorrow, whether that division would happen before or after 6 o'clock; on the debate on Bill 165, that the government reserve 20 minutes—five minutes for the parliamentary assistant's opening, 10 minutes for the parliamentary assistant to close the debate and five minutes for one other member of our caucus—and that the opposition split the remaining time in that debate.

If we have the consent of the House for those procedures for today, then I can call the order.

The Acting Speaker (Ms Margaret H. Harrington): Does the House agree to the handling to Bill 165 in this manner? Agreed.

WORKERS' COMPENSATION AND
OCCUPATIONAL HEALTH AND SAFETY
AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI
SUR LES ACCIDENTS DU TRAVAIL ET LA LOI
SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

Ms Murdock, on behalf of Mrs Coppen, moved third reading of the following bill:

Bill 165, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act / *Projet de loi 165, Loi modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail.*

Ms Sharon Murdock (Sudbury): This bill has been out in public hearings and has had four weeks of clause-by-clause and now we're bringing it in for third reading, but it didn't just start this summer, as some people would have us believe.

Actually, this started a long time ago, well over a year ago, with the Premier's Labour-Management Advisory Committee, when it first decided that workers' compensation was a problem for all of the stakeholders and that something had to be done about it. As a consequence, there was much debate and much discussion in the PLMAC.

In early spring, they presented to the Premier what they called the reform framework. I just want to go over that and compare it to what is in the bill because I think it's really important, since we heard time and time again during the public hearings that Bill 165 did not in any way reflect the PLMAC agreement, and I want to show in my first five minutes how it did exactly that.

First of all, there was a bipartite board of directors recommended. That is in the bill very clearly because it is felt that both labour and management should take responsibility for the issue of workers' compensation, injuries on the job and health and safety.

It also changes the role of the chair of a board of directors in order to deal with impasses when they occur. Of the advisory committees that were recommended by the PLMAC, some are already in place, and I will cite the construction industry as one.

Thirdly, on the financial responsibility framework agreement, it was decided that business and labour felt that there had to be a framework set up, and I would point out that the unfunded liability has caused much consternation to all parties.

Then, the purpose clause, which we have amended during clause-by-clause, sets it out exactly as the PLMAC would have it, and that does now include financial responsibility and accountability, which both labour and management felt was necessary.

1540

We then go into the return-to-work provisions, and for me this was key. I was especially pleased to see that the return-to-work provisions make it mandatory. I don't think that the language in the existing act was clear enough, and the PLMAC very clearly said that if the language in the act fails to produce that obligation, then it should be clarified, and we did do that.

But there are three other areas where the PLMAC said

they agreed that there was a problem but they did not have any agreement as to how to resolve it. One area was special consideration for those people who would be—survivor independent benefits, 100% pensions, 100% FEL and unemployed workers with disabilities injured prior to 1990. That we have covered with a \$200-a-month allotment to those groups.

There was no agreement on the issue of coverage and we passed that on to the royal commission, and then there was the whole issue of the Friedland formula and how that was going to be applied. I would point out that if nothing was done to the workers' compensation unfunded liability right now, then by the year 2014 the unfunded liability coverage would be at 17% and the unfunded liability would be at \$32 billion, but with the formula as presented in Bill 165 the coverage will be 55% funded by the year 2014, and today, as I speak, it's 36% funded, so we've already seen an improvement.

I would say to those who are concerned about the indexing that what I think is going to be very, very important in the future is the royal commission and the work they will be doing. It was agreed that they had to study alternatives to the Ontario workers' compensation system and their mandate is extremely broad. It will end up, I'm sure, looking at a whole comprehensive disability area. Both labour and management are looking forward to the day the royal commission will present their findings to the Minister of Labour. We would then be able, as the next government in this province, to act on it.

Mr Steven W. Mahoney (Mississauga West): I wish I could say that I was rising with some sense of pleasure to debate third reading of Bill 165.

Interjection.

Mr Mahoney: Let me first of all establish, I say to the minister of whatever he's minister of now—I forget—but I would say to the minister people should understand that this debate we're going into today is a result of closure of this government, because they were unable to really manage their way through the minefield, I guess you could call it, of the parliamentary procedure around here. Well, it's true.

This is just another example of the government's inability to manage their own agenda, so they had to bring in closure to shut it down. While there has been an agreement to leave most of the time with the opposition critics and only limited debate by government members, clearly what has happened here is that the government has said they don't want to listen to the concerns that are being expressed from all different areas, they've heard enough, they've made up their minds and they're simply going to barge ahead.

What's most interesting, I must tell you, about Bill 165 is that there was opposition from every area that you could possibly imagine to this legislation. There was opposition from organized labour. I see some representatives in the audience today. We heard locals coming forward before our committee saying they objected to 17, 18, 19 different sections of the bill, but they wanted the government to go ahead and pass it anyway.

We heard numerous presentations from injured workers

who said they—imagine—it's hard to believe that a New Democratic government would put forward a piece of legislation to reform workers' compensation that would not be supported wholeheartedly by the Ontario Network of Injured Workers Groups, for example; quite interesting. But it really told me something during the debate during the committee hearings that this is not just an issue for business to express their concern but indeed labour as well. Many—not all, but many—facets of the labour community were equally upset with Bill 165.

I will admit that they came at it for different reasons. Their concerns were more around the deindexing of the pensions. Their concerns were more around the fact that the first socialist government in the history of this province is actually reducing benefits to injured workers.

If it appeared in some kind of futuristic book that Bob Rae and Bob Mackenzie would actually draft legislation that would take away benefits from injured workers, you would have to say that that was some kind of cockamamory idea, that it just wouldn't be possible. You just wouldn't believe that someone with the background of the New Democrats would actually do that, and that is why Karl Crevar and many others from the injured worker community came forward in absolute amazement that they were fighting that kind of scenario in this bill.

Although the obvious ability of this government to appear as a chameleon from time to time should not really surprise anyone—and the interesting thing about it is that the parliamentary assistant—

Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs): It's her bill. She did a good job.

Mr Mahoney: —who, by the way, I think did a commendable job with a bill that I dare say even she may not totally support, but did a commendable job. I recognize that. I recognize the ability of someone to hold their nose, shall we say, and do the government's bidding. That's a tough can to carry, and I understand the problem of having to carry cans for a majority government very well. So I congratulate her for the effort.

I certainly don't congratulate her for supporting a bill that we find absolutely repugnant in many areas—

Mr Bob Mackenzie (Hamilton East): Oh.

Mr Mahoney: —and a bill that does nothing, by the way, I say to the former Minister of Labour, to really improve service delivery to injured workers. Tell me what it does to make the system more receptive to injured workers, to make it more accountable to the people who pay the bills, to make it more workable for the various different groups that are involved that actually in many ways drive the costs of workers' compensation up.

It does nothing to root out the systemic problems in the workers' compensation system, but the government's got the solution for that. What they're going to do is, they're going to tinker with this. They're going to bring in this bill, and then they're going to appoint a royal commission that's going to solve all the problems.

What everyone is a little bit afraid of, if the royal commission lives out its term, which is highly unlikely, since we all look forward in this province to the oppor-

tunity to change places, shall we say, in this place and to remove this government—we look forward to that.

Interjection.

Mr Mahoney: The people will decide that, not you and not I. The people will decide.

The Acting Speaker (Ms Margaret H. Harrington): Please address the bill.

Mr Mahoney: If the people decide, Madam Speaker, that they've had enough of this kind of nonsense over there, which I suspect they will, then they will choose who they wish to lead this province towards the turn of the century. The result of that may indeed be that the royal commission does not get an opportunity to carry on very much longer.

The fear, though, is that I believe what this government, what the ideologues, what the philosophically bent individuals involved in the NDP really want to do with the royal commission is, they want to put in place some kind of universal system, universal accident and disability system and have it funded primarily by business. I think that's probably the plan. Well, they won't say that necessarily, but I can read between the lines.

Hon Mr Pouliot: What a wizard.

Mr Mahoney: Hey, I'm quick.

The problem with that, you see, is that it could be universal coverage, but the funding of it would come from a specific sector.

Hon Mr Pouliot: Oh.

Mr Mahoney: Well, I know, because you guys think—I remember the days when they used to believe you should tax the rich. Now they've defined rich as being anybody over 52,000 bucks a year, I think. I remember the days when the members opposite used to stand over here and give all these wonderful speeches about increasing taxes from corporations and just going after all these hidden sources of revenue that successive Liberals and Tories were afraid to touch.

The fact of the matter is that what they want to do is, they want to place the burden for some kind of universal system on the backs of the corporate sector, which in reality is not the General Motors and the Royal Banks but the small and medium-sized business people. We have got to face reality in this province, that we are driving those people out of business. We are absolutely destroying any kind of incentive for a small or medium-sized business person to expand. Why would they bother? They know that as long as the NDP is around it's going to try to take any more of their profits back for its particular political purposes.

1550

When you do the surveys, it's really quite interesting. Several years ago you would do a survey of business and say, "What were the number one concerns"—in the CFIB, for example—"that your members expressed?" Five, six or seven years ago, they would very often talk about regulation, too much paperwork. They still talk about that, but you know the one, that actually used to be down around nine or 10 on the list of concerns, that has bubbled up to the top since this government came to

power? Workers' compensation. Interesting.

They're concerned because they see abuses. They are concerned because they see a system that I have always said, and say again in this place, all three parties in this Legislature can share the blame for the position that the WCB is in, absolutely no question. We all have a responsibility in that, but we've got to finally wake up and start figuring out how to fix it.

The business community says its number one concern is workers' compensation and the things that go with it, the Workplace Health and Safety Agency. I hear the parliamentary assistant talk in terms of this particular bill reflecting, I think, the terms—I see Mr Wilson is here in the audience with the Ontario Federation of Labour, and I don't want to put words in your mouth, Gord, but I think it was you who said that this bill mirrors the agreements in the PLMAC. I certainly heard it from members opposite.

It's absolutely mind-boggling when you look at the two and how the parliamentary assistant can stand up in this place and say that somehow this bill reflects the agreement of the Premier's Labour-Management Advisory Committee when the management caucus of the advisory committee walked away. They absolutely washed their hands of the process of reforming WCB and of dealing in any kind of a Premier labour-management advisory process, because they knew it was absolute nonsense.

What the PLMAC, the management caucus, agreed to with regard to the issue of the Friedland formula, a formula used to de-index the pensions, was they agreed to using that for the purpose of reducing the unfunded liability. What broke down? There was an agreement. They left the table. They said, "We're going to de-index the pensions, and we're going to use the money to solidify the WCB system and to reduce the unfunded liability."

This is really part of the problem with workers' compensation reform. Everybody, over time, does something that makes sense and then they start with the giveaways.

So what did this government do? They immediately took the money out of Friedland and they spent it. They generated savings for the workers' compensation system, and then they spent it on people they consider to be friends, I guess, people they consider would be beneficial, who might vote for them if they give them this kind of a benefit. That's the fundamental problem.

Should we help the older workers with the \$200 supplement? Absolutely.

Mr Chris Stockwell (Etobicoke West): On a point of order, Madam Speaker: If they're going to move closure on bills, I think we should have quorums in the House.

The Acting Speaker: We have a quorum call. Would the clerk please determine if a quorum is now present.

Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries): Speaker, a quorum is not present.

The acting Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: Speaker, a quorum is now present.

The Acting Speaker: We will resume the debate. The member for Mississauga West has the floor.

Mr Mahoney: I guess I'm going to have to start over.

I want to just deal with the reference that the parliamentary assistant made to the relationship with the Premier's Labour-Management Advisory Committee. She talked about the bipartite system. First of all, if there's ever been an agency that proved how difficult bipartism is, it's the Workplace Health and Safety Agency. Don't shake your head. I get the calls. I'm sure you get them, but you just don't want to deal with them or something. I don't know what you do with them.

Let's go back to Bill 208. The purpose of setting up the health and safety agency was to try to deliver quality health and safety education to the workplace, to both workers and managers. That was the fundamental principle behind Bill 208.

These guys come into office, they set this up, they put a bipartite chair in place who is supposed to be an independent chair, and the independent chair, one of the most respected people in labour-management relations, Vic Pathe, walks away. He says, "I can't deal with this." If Vic Pathe can't deal with it, I don't think anybody can deal with it.

What happens is that the labour caucus starts dominating the agenda. All of a sudden, all the different agencies that are out there delivering health and safety training—that's the key here, that we're attempting to improve the level of training, the level of knowledge around health and safety in the workplace.

Why? So we don't need a bill like this, because if we indeed improve the level of health and safety training, we will reduce accidents. It seems to me a safer, healthier workplace will reduce accidents. If you reduce accidents, you're going to reduce costs, therefore the employers will be happy. You're going to increase productivity if you reduce accidents, therefore the entire economy will benefit.

The principles behind Bill 208 in my submission are very solid, and if we have the opportunity at some time in the future to effect changes, the health and safety agency will be closed and a department will be established under the workers' compensation system that will ensure that fair training opportunities are available throughout the workplace.

I hear from people at the agency—particularly the labour chair who I think now is the labour CEO; they've upgraded themselves in some way—that only they know how to deliver training on health and safety, that we don't care about injured workers. If there's one thing that absolutely drives me crazy it's that every time anybody other than a New Democrat talks about health and safety or workers' compensation, the accusation is, "They don't care about injured workers." That is such nonsense. That goes back to the mentality—

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): We talk about business.

Mr Mahoney: You should think about business. Without business there are no jobs. Without business there are no problems with it. We'll just shut it all down.

That's fundamentally the problem, that this should not be about philosophy.

We have an opportunity to make serious change in the workers' compensation system and this government is abdicating its responsibility and blowing it. They're absolutely blowing it. If there was one little bit of legacy that you could have left as you leave politics, it would have been that you could have said to injured workers and to organized labour and to the federation and to the people of this province that you did something for injured workers, that you did something to save this system.

It's a good system. I have people say to me all the time, "We've got to get rid of the workers' compensation system." That's absolutely wrong. If I were opening a business tomorrow, I would want to know that we had a compensation insurance system in place in the jurisdiction in which I was going to operate, because the fundamental principle is that, back in 1914, as a result of the royal commission headed by Justice Meredith, the agreement was that the worker would give up the right to sue the employer for an accident that occurred in the workplace.

What is he going to get in return? Does he just abdicate, walk away? He gets, or she gets, income replacement insurance. That's what it's supposed to be. It's not a social safety net, and I saw how the government in their wonderful—I don't even have it any more—in their Ontario Star tried to take, at their convention, quotes that I had made and turn them around somehow and play funny games with them.

1600

My position is very clear. This is not and should not be part of the social safety net. This is insurance. No business would want to be subjected to the threat of a lawsuit and the possibility that a judge would make a decision that could literally put them out of business because of an accident.

You know, I talked to CEOs and small business, medium, large, all of them all across the province when I did my outreach tour, and I travelled across the western part of this country at least, and I heard business people say to me all over the place that when somebody's injured in the workplace—legitimately injured; they always add that, I know—"We don't want them to suffer. We want to get them back to work. It only makes sense. Why do we want to bring in another employee and train them on the same job that we've already got a trained employee for who happens to be injured?" It makes no economic sense to have that happening throughout their workplace. They want this person to return to work, and in the meantime the responsible business community wants that person not to suffer.

I heard catcalls from members opposite during committee, saying: "Name names. Tell us who." Not the parliamentary assistant; other committee members. You see, they don't believe that. Here's the dogma from the NDP, particularly the left: "The corporate mentality is wrong. We've got to challenge the corporate agenda." That's how they think.

Mr Stockwell: That's Bob White.

Mr Mahoney: Well, that is Bob White, but I've heard

members of the committee who said fundamentally that same thing. They don't believe there's any such thing as a good corporate manager. Well, I heard—I forget his riding. Mr Hope made those comments on numerous occasions.

Mr Stockwell: Chatham-Kent.

Mr Mahoney: The member for Chatham-Kent, who isn't here. I shouldn't bring attention to that. I'm sure he'll be here in a minute, as soon as he sees this on television. But I heard the member, that he doesn't believe corporate Canada thinks like that. The attitude is: "To heck with the injured worker; get him out of here. We've got to get on with things." Well, frankly, that's why we have a workers' compensation system, so that it can take care of those injured workers and get them back to work.

What did you do in Bill 165 about service delivery? I've found that the number one problem in the workers' compensation system is that many of the decisions that are made at the beginning of a claim are made by the most inexperienced people in the system. That's not their fault. They're not provided with the training. In British Columbia, a junior adjudicator is assigned to a desk with a senior adjudicator for one year. They are not turned loose to adjudicate their own files until they have one year of experience, training and working with experienced adjudicators. That makes a lot of sense.

We have doctors who examine workers' compensation claims. You know how they do it? They open a file. They don't even see the individual involved, and they make a decision on whether or not this should proceed through the system based on paperwork. I think that's fundamentally wrong. Why didn't you take the opportunity to change that? Why not have the medical specialist, who does not necessarily have to be a physician in all cases—I've been quite impressed with a number of the different groups who offer health and safety services. The health and safety nurses have got a lot to add, a lot that they can bring to the table in trying to effect—they already do it; they just don't get recognized—early return to work, early detection of the problems, early interference in the problems to ensure that the injured worker gets rehab, that they get returned to work, that if necessary you modify the workplace to allow them to do the job with the injury that's in place or you find them other work. These are the kinds of things that we need to look at and that I frankly see nowhere in Bill 165, other than some philosophical attempts.

You see, what they talk about in Bill 165 is quite interesting. They talk about programs and policies. Here is the difference: You either put in place a system pragmatically designed—you see the worker, you diagnose the injury problem, you put in a rehab program, you get them back to work, you look at ways to create modified work. All those things are very practical.

What the NDP wants is more programs and policies. I think the perfect world is—you can just picture this; it's almost Orwellian, actually—all these little businesses out there are busily making widgets and in every business there are classrooms where they're studying hard. They learn such wonderful things as how a bill becomes law.

That's part of the health and safety training, how a bill becomes law. They're busy. They've got committees and they're running to their union bosses to say: "Boy, we're doing great. We've got committees going and classrooms." Instead of concentrating on productivity and working with the unions to make sure that there are more jobs, they're creating these committees.

They kill time that way, I guess, and it's the philosophy. That's the philosophy. Have all these programs and policies in place, and that is the only thing that this bill talks about, programs and policies, and not actually pragmatic ways of reforming the workers' compensation system.

We know this bill's going to pass.

Mr Stockwell: People of the proletariat.

Mr Mahoney: People of the proletariat; that's exactly right. Let's all get together and—

Interjection.

The Acting Speaker: Order.

Mr Mahoney: We're not talking about—yes, I think we're doing fine. The member says it isn't going to work. I think we're doing fine. Anyway, let's get back to the bill, which I know you would want me to do. Let's talk about, if we can, the NEER program. The parliamentary assistant will recall that there were a lot of people who expressed concerns about you eliminating the NEER program. I know that the argument is that you're not eliminating it. But the problem is, why do they think you are?

Mr Kimble Sutherland (Oxford): Maybe because you keep saying it.

Mr Mahoney: No, they bring it up. We don't bring it up. The member for Oxford says maybe because we keep saying it. We didn't say it. They do. Here it is. How many others do you want?

The Acting Speaker: Order. I would like you to address the Chair.

Mr Mahoney: Madam Speaker, tell him to address the Chair. When he gets an opportunity to speak, he can get up. What are all these letters? I didn't write these; trust me. You can believe me. I'm no longer with the government. You can trust me. I didn't write all of these.

Interjections.

Mr Mahoney: No, they're coming in. "Experience rating for employers instituted in 1984 is a system"—this is from Dineen Construction, Disco Road, Etobicoke, about the NEER program. "Experience rating is a system where an employer's yearly number of lost-time injuries is compared to the statistical expected yearly number of lost-time injuries within the industry group. Based on the assessable payroll, the employer receives a financial rebate if he's done well or a surcharge if they haven't done well." You know, that's the problem. It's based on incentive to do well.

Interjection.

The Acting Speaker: The member for Etobicoke West, come to order.

Interjection.

The Acting Speaker: The member for Sudbury, come to order.

Mr Mahoney: Why not do what the good people at Dineen Construction suggest and leave in place a system that's based on incentive? How do you measure that incentive? Here's how the NDP will measure the incentive: It depends on the number of programs and policies you've got in place in the workplace. As long as you've got all those little classrooms, busy, busy, busy, studying and working on all of these philosophical issues—"Have you got a good program for health and safety? Oh, well then, we'll consider a rebate." I mean, that's what it says. But the business community is saying: "Just a minute. If I can save money and get a rebate by reducing my lost-time injuries, maybe that'll give me some incentive to do that."

1610

Ms Murdock: What about reporting them?

Mr Mahoney: Well, what about reporting them? Tell me what putting in place programs and policies is going to do to report them. It's not going to do anything. If they're not reporting them, putting in place programs and policies is not going to help you get that information.

What will help you get that information—I mean, we hear from government members about the greed in the business community. If you really believe that's true, then why not capitalize on that greed? Why not dangle a carrot out there? That's what NEER, the new experimental experience rating, is all about. The business program is saying: "Measure experience rating in terms of dollars and cents. Don't measure experience rating based on whether you like the committee process I have in the workplace."

What does it matter? You could have someone with very stringent health and safety regulations in the workplace who doesn't have all the committees and the classrooms going and has very low lost-time injuries. You're going to tell me that they won't get a rebate because they haven't bought into your philosophical bent to have programs and policies put in place.

See, that's the problem here. We have a government that is trying to make changes to one of the more dangerously ill systems, and, as I said before, a system we can ill afford to do without. Business cannot afford to do without a compensation system. It protects business. Injured workers certainly cannot afford to do without it. It's supposed to protect injured workers.

When I went out on the outreach tour that I refer to a lot and put out the Back to the Future report—I'll give myself a little commercial; how's that?—when I went out, I asked myself one question right at the beginning.

Mr George Mammoliti (Yorkview): You're the best, Steve. You are the best.

Mr Mahoney: Thanks, George. You're a heck of a guy.

Why is it that injured workers and managers aren't happy with the system? There's something wrong here. Why is it that everybody who deals in workers' compensation is unhappy with it?

Mr Stockwell: On a point of order, Madam Speaker.

Mr Mahoney: Not again. I don't need this, you know. I have to start over every time you do this.

Mr Stockwell: Considering that the member is hanging out Back to the Future, I think there should be 20 members here to read that.

The Acting Speaker: Would the clerk please determine if a quorum is present.

Acting Clerk Assistant (Ms Lisa Freedman): A quorum is not present, Speaker.

The acting Speaker ordered the bells rung.

Acting Clerk Assistant: A quorum is now present, Speaker.

The Acting Speaker: We will resume debate.

Mr Mahoney: I guess the member for Etobicoke West isn't going to get an opportunity to speak on this so he's got to continually call quorums. I hate it when you do it right when I'm going to make a good point.

Ms Murdock: He's not listening to you.

Mr Mahoney: I understand that. I wish you would listen to me—never mind him. It doesn't matter if they listen, because they don't have the limos. You guys have the limos.

Interjection.

Mr Mahoney: Well, you probably should have. You've done more work on this than the former Minister of Labour or the new Minister of Labour. Maybe you should get the limo. What do you think?

The Acting Speaker: We would like the member to make his remarks on the bill.

Mr Mahoney: When I looked through the bill, it talked a lot about the health and safety agency and the problems there.

I know where I was: I was talking about the rebate and the surcharge program.

Everybody worries about this off balance. Does it not make sense, I ask the parliamentary assistant, Madam Speaker, through you, to put in place a system that creates some incentive? If indeed the point made by some people in the workplace is legitimate, that employers refuse to report the accidents, maybe we've got to address that.

Do you know why they refuse to report the accidents, by the way? Not refuse—they make a deal with the injured worker.

Mr Stockwell: They don't want to get reassessed.

Mr Mahoney: Isn't that the truth? I've had employers say to me, "I would rather have Revenue Canada and the Gestapo come in here than have the Workers' Compensation Board send in an inspector to try to investigate my workplace." Imagine what's going to happen under—

The Acting Speaker: I would ask the member not to be provocative. We would like to listen to your remarks—

Mr Mahoney: What's provocative about that? That's what people said to me. If it's provocative, it comes from the people in the province of Ontario who are quite serious about that, who do not want the Workers' Compensation Board to be coming into their workplace to

increase their rates, to inspect them.

Imagine: Under Bill 165, when they walk in, guess what they're going to do? They're going to walk in and say: "Have you guys got some programs in place? How are your health and safety policies?" They're not going to look at the balance sheet and say: "Last year you lost this much in lost-time injury; this year it's increased. Therefore we can measure that. That's not subjective at all. We can measure that and you're going to pay a surcharge for that." They understand that, and that's going to give them some incentive to reduce their lost-time injuries in the future. What makes more sense?

If you put in place a system where that's true, then you won't have that problem because people will realize they're working together, that the workers' compensation system is protecting them from lawsuits, that it's protecting their injured workers, helping them get back to work, that it's helping productivity in the workplace. I don't think this is all crazy stuff; I really believe that should be a non-partisan stated goal of all three parties in this place.

I remember when we were the government—fond memories—and I remember the difficult times in Bill 162. I remember people coming before my outreach tour and before the committee, taking serious shots at Bill 162. People said to me, "Are you prepared to change Bill 162?" I said, "I am certainly prepared to look at it," and we discussed some of the aspects they were unhappy with.

Do you know the number one thing—I'll bet you can answer this one—that upsets workers, injured or otherwise, in Bill 162? Do you remember deeming? I remember it: the system whereby an injured worker is deemed to be capable of doing a certain job at a certain pay rate, even though the job doesn't exist, even though it's a phantom job. I remember that.

I remember the member for Sudbury East standing up here, as I said the other day in this place, giving an impassioned speech against deeming. Why didn't you do something about that in this bill? You're New Democrats. You spoke against that section of Bill 162. It was Liberal labour legislation. Why didn't you do something about it? Maybe then you would have had some of the injured worker groups coming before the committee to congratulate you, to support you. You didn't do that. You blew an opportunity to live up to what has to be considered, I would think, long-standing party policy.

I recall speeches about repealing Bill 162. I haven't seen that; I haven't seen anything even close. Why didn't you put in place a different system? Even I have recommended in my report changing and eliminating deeming and putting in place a STEP program that will concentrate on early return to work, that recognizes that it's absolutely absurd to take a high school janitor in Timmins and deem him capable of earning the pay or performing the work of an air-traffic controller—and that happened. Thank God there were no air-traffic controller jobs available.

1620

Mr Mammoliti: Have you seen the full plan?

Mr Mahoney: Well, chirp if you want, but answer the

question: Why didn't you eliminate it? You had an opportunity. I know why: because you didn't have anything to replace it with, and you're afraid the costs might escalate. I think it's totally unfair, and I believe that is one opportunity you have absolutely let slip through your fingers.

We talk in terms of putting in—and the former Minister of Labour always scoffs at this suggestion—a two-week period of voluntary self-insurance. What does that mean? What's driving the costs of the workers' compensation system? One of the things of course is the problem of the unfunded liability, and what's driving that? It's the number of claims.

We are the mother of all compensation systems in the country. The average cost of a claim in this province—and I've checked it out; the parliamentary assistant always says my figures are wrong, but I've doublechecked and triplechecked—is approximately \$24,000. The average cost across the country is half that, \$12,000. If \$24,000 is the average cost of a claim, do you think if we reduce the number of claims we can save some money? It's an idea.

So I said, "Well, let's look at that." The other statistics show that 72% of the claims that are filed are finished, completed, dealt with and back to work in two weeks. Why are we opening those files and running up those costs? Because the injured worker needs to be protected. The accident occurs. You've got to file the claim.

I had an experience with my own son where he was injured on the job, didn't file his proper papers and everything else, got his initial claim and he couldn't collect any more because he hadn't done the work properly. I understand that's a very serious problem, so the proper forms must be made out and filed. But there is absolutely no reason that you cannot come to an agreement between the employer and the worker where the worker will continue to be paid for a two-week period, voluntary self-insurance.

If the worker says, "I don't want that; I'm mad at my employer; I don't trust him," then open the file. If the manager says, "I don't believe this is a serious injury; I'm unhappy with the worker; I think he's faking," whatever he wants to say, fine, open the file. But why do we just, like rote, automatically open every file for every injury claim, assign adjudicators and start the ball rolling?

If somebody can show me that this won't work, I'm all ears, I would like to know. But I haven't heard that. I've heard a lot of people say, once they understand the fact that it is totally and completely voluntary, that it's not putting an injured worker at any risk and that it does require the company to continue to pay the injured worker during that two-week period, "What's the incentive?"

Well, the incentive to me is quite obvious. The worker can get fixed. Workers have told us, "Nobody goes to work to get injured." If I heard that once, I heard it a thousand times: "Nobody goes to work to get injured. They want to get back to work. They want to get back to work as quick as they can." I believe that to be true. If you believe that to be true, what's to be gained by the injured worker agreeing to a voluntary two-week self-insurance program? Here's what's to be gained: He or

she will get rehabilitated and will likely return to work 72% of the time. So there is incentive.

What's the incentive for the manager? What's the incentive for the company? The company has to continue paying the salary, paying the wages. Some would say, "Gee, that's a lot of money." Let me tell you, if we're going to get this compensation system whipped into shape, we've got to find ways to cut the cost, the administrative cost as well as any other cost associated with it. We've got to find ways to save it so that indeed there is a fund available for injured workers and it's sustainable and affordable for all corporations. Is that incentive? I think it is. Why not look at something like that instead of staying with the status quo, instead of putting in place some real reform?

I hear the parliamentary assistant talk about the bipartite board system. What have they done? This supposedly mirrors the PLMAC.

By the way, I didn't agree with everything that was agreed to in the PLMAC. In fact, I believe very strongly that what we need is a multistakeholder board, not just a bipartite board. I think there are lots of people who have a lot at stake. I think health care practitioners have a lot at stake and have a lot to add and contribute to this system and could be a major benefit to the government to help us reform the system. But I don't see any opportunity to meet with them.

In fact, one of my early recommendations was that the OMA and the chiropractors actually have a seat at the board. The initial reaction to that was: "What? Are you crazy?" Then everybody started thinking about it, and I said these people have a major stake in this. Yes, they're service providers, and I suppose you could say they've got some kind of conflict. But I trust the health care practitioners in this province, and they know that as much as they are service providers, and as much as they will rely on the compensation system in many cases for a lot of income, they know this system is seriously ill. And who better to turn to when you're sick? Why not put them on the board?

The most incredible thing happened in committee. We, the Liberals, put an amendment to include an injured worker on the board. Madam Speaker, being a New Democrat yourself, I'm sure you'd understand this: You would expect that the New Democrats would be rushing to replace my motion with one of their own. I was astounded that they didn't. Not only did they not replace my motion with one of their own to include an injured worker on the board of the compensation board, they voted mine down. It was quite amazing—more amazing to the injured workers in the audience, by the way. I don't know if you were there that day, but every time the vote took place on that and they asked, "All in favour?" we put up our hands, and so did about 40 or 50 injured workers in the audience. They all put their hands up too. Why? Because they know the problems with the compensation system.

That's the most amazing thing about this. Talk to people who have been immersed in the compensation system. I know the parliamentary assistant has; I certainly know I have. We all learn very quickly what the prob-

lems are in the compensation system, whether it's around service delivery or whatever the area is. There's a number of areas where there are serious concerns and we learn them very quickly, but I don't see any attempts to resolve them.

Why wouldn't you look to the injured workers to get some kind of expertise on service delivery? I would suggest they could provide us with a lot of expertise, and after all, they'd only be one member; we're not talking about turning it over to one interest group. They'd only be one member, but they would have a place at the table.

If there's one thing I've learned about injured workers, you know the word that always comes up? "Dignity" always comes up, everywhere you go. They feel like they've been cast aside, that nobody cares about them. They feel they haven't been given an opportunity to recover their dignity by going back to work. They then feel that they get caught in the bureaucratic red tape. I can't imagine anything worse, actually, than being caught in the red tape of this particular system. It would debilitate you, it would destroy your zest for life in a lot of ways, and I really have some sympathy for that.

Could you not give them the franchise, so to speak, of being on the board, of contributing? They would have an opportunity, as they did recently—I know they had a convention up in Barrie and passed a number of resolutions. I've got some of them here. I don't make any bones about it: I don't agree with all their resolutions. But they would know they had an opportunity to have their meeting, as they had in September of this year in Barrie, and to pass a resolution and that these resolutions would go to their designated person who sits on the board of the compensation system. They would have, I guess, a sense that there is someone who is listening to them.

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Instead, what they see, whether it's the Conservatives or the Liberals and now the NDP in government, is that nobody is willing to listen to these people. I just really believe we have to change that. As I say, I'm quite astounded that this particular government blew the opportunity to do that.

Along those lines, I want to talk about other ideas about how you fix this system. We hear stories about what's happened in New Brunswick, where they eliminated their unfunded liability and they reduced benefits—what did they go to, 85%, in New Brunswick, of their net pay?

Mr Carman McClelland (Brampton North): They reduced premiums too.

Mr Mahoney: They reduced premiums too. There you go, a good Liberal government down there. Then we go to Alberta and we see that they have eliminated their unfunded liability and they did not reduce benefits. What they did is put in place some premium increases, I believe about 7% over two years, moderate. I think our business people would be delighted to look at a 7% increase over one year, never mind two years, the way it's gone for them with some of the 30%, 40%, 50%, 60% increases in their premiums that they've seen. So which one makes more sense?

For my part, I'm not supportive of reducing benefits. The reason is that I talked earlier about many of the CEOs of small, medium and large-sized companies around the province who said to me, "You know, if somebody's legitimately injured in our workplace, we don't want them to suffer financially." Their mortgage payments don't go down, their car payments don't go down, the cost of education for their kids doesn't go down, their food costs don't go down—there is a little bit of a correlating reduction in their costs because they don't have to get to work every day and there are expenses to cover them getting to whatever rehab they have to get to, so there's some legitimacy for paying them less than full pay.

But remember, this is an income insurance replacement program, so let's set the level that's fair, and I think 90% of take-home pay is fair. I continually refer to the TV program that we had on W5, where they talked about tax-free money and everything. Let's be clear: The 90% is of take-home; it's after—

Hon Mr Pouliot: Like your tax refund.

Mr Mahoney: No, not like that at all. It's like after—and you have a chance to change that if you want to too. I heard you were the minister the Premier was looking to on that. I haven't seen anything, fortunately.

Hon Mr Pouliot: The future can last a long, long time. It usually does.

Mr Mahoney: Yes. The fact is that it's after taxes have been paid; they're getting 90% of their take-home pay. People say if you reduce that, you can reduce the unfunded liability. Frankly, I think there's a number of things you can do to reduce the unfunded liability without doing it on the backs of injured workers. I don't know, it's just fundamentally unfair when it is an income replacement insurance program to talk about solving the problems by reducing the benefits.

I know people in the business community and the Tory party are absolutely committed to that. In many cases in the business community they say, "You've got to reduce it," but then when you talk to them privately and you say, "Just a minute, do you want one of your workers who's legitimately injured to suffer financially?" they say no. So it just doesn't go hand in hand. There are other things you can do that make a whole lot more sense.

The president and CEO of the Alberta board—

Hon Mr Pouliot: Like universal coverage.

Mr Mahoney: Yes, like universal coverage funded by the business community. See, there are no studies—

Mrs Elizabeth Witmer (Waterloo North): Supported by the business community.

Mr Mahoney: Well, that's what they want to do. There are no studies that prove your philosophical opinion that some kind of magic universal system is the answer to this thing; in fact quite the contrary. That's the fear people have. What you've got here is a government that wants to expand coverage, expand the number of companies that are covered under WCB.

Hon Mr Pouliot: Expand our base.

Mr Mahoney: Expand your base. Good luck to you

on that. But if you expand coverage—what was it today? My leader, Lyn McLeod, asked a question today about the office of the worker adviser changing the word from “stress.” They’re not going to use “stress” any more. They’re using “psychosomatic”—what was the second word?

Hon Mr Pouliot: You’re on your own.

Mr Mahoney: I know I am. It’s “psychosomatic turmoil” or something like that to replace that instead of—

Interjection: Trauma.

Mr Mahoney: Trauma? Psychosomatic trauma, turmoil—you get the point. Psychosomatic. Don’t say “stress” whatever you do. We’re not going to include—

Interjection.

Mr Mahoney: Well, you can apply for stress; you’d probably get it. But the fact is that you’ve got people within the ministry who are looking for ways to sort of get around the fact that the government did not, I say, thank goodness—if there was one thing they did good in all of this, it was that they did not include stress as a compensable injury.

Mr Sutherland: They’re not ministry employees.

Mr Mahoney: Well, I’m sorry, it’s a program. He says, “They’re not ministry employees.” The office of the worker adviser is a program of the Ministry of Labour, funded through the Ministry of Labour’s budget, and there is a chargeback by the ministry to the compensation board for the system. The director is an OIC appointment. Bob Rae put him there. He is put there by the Premier, presumably on the recommendation, you would think, of the Minister of Labour. So they’re in there. You call them I don’t care what. If you want to hide behind some different agency or manipulate the wording or do want you want, the fact is—

Mr Sutherland: Hey, I’m not manipulating—

The Acting Speaker: The member for Oxford is out of order.

Mr Mahoney: The fact is they’re through the Ministry of Labour. That’s the budget. They’re appointed as an order in council by the Premier and by cabinet, and they are in fact training our own constituency people on how to appeal every single turnaround in this system to tie up the system so that they can make changes.

Don’t you just find that remarkable? If you were the Minister of Labour, I say to the parliamentary assistant, would you not be demanding to know what’s going on if you’ve got people who were appointed by you, the staff of those people, who are laying subterfuge to destroy your own legislation? Would you not just find that sort of passing curious? I think I would. I think I would have somebody on the old proverbial carpet to say, “Just what do you think you’re doing, and what is psychosomatic turmoil or psychosomatic trauma?” By any other name, it’s stress.

I believe this government, if it was not for the absolute outpouring of anger and rage and frustration by the business community, would have included stress. I believe that was probably on their initial agenda. But the

Premier, through his PLMAC process, saw that that may be a battle that he can’t possibly win and so he’d better back off that. But this is sort of the way that this thing—what is it, that a committee is a camel? I think what we’ve got here without a doubt is a bill that’s been designed by a camel that doesn’t solve any of the problems. It does nothing substantively and systemically to address the long-term problem of the unfunded liability.

The problem with the unfunded liability is more around the growth of that unfunded liability. To tell you the truth, I’m more concerned on an ongoing basis about the fact that the WCB seems to have adopted the government’s mentality of running overdrafts or deficits in its operating budgets. That’s a little more worrisome, frankly, than an unfunded liability, because the unfunded liability is made up of the long-term commitments of the workers’ compensation system balanced off by the assets they have available.

You’ve got \$17.2 billion in long-term commitments, not to be paid out today but actuarially adjusted over time and figured out on the basis of the injuries and the lifespan and the expected lifespan and all of those kinds of things, and then you’ve got the asset base of \$6.8 billion. Both of those figures have probably grown, by the way; I would hope they’re growing proportionately. But that’s the fear. The unfunded liability is growing at a rate, depending on who you want to believe, of \$1 million to \$2 million a day.

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Mr Ted Arnott (Wellington): So what are you going to do about it?

Mr Mahoney: We’ve put in place a number of recommendations that would in fact address the unfunded liability. The first problem is that you have to change the system to make the system manageable financially, and I’ve talked about some of them. We’ve talked about flat-lining benefits, not reducing them. There have been accusations—

Hon Mr Pouliot: Answer Ted.

Mr Mahoney: I will answer Ted. It’s right here, by the way. I’ll send a personally autographed copy to the minister. It’s right here as to what we would do about them.

We’ve talked about flat-lining benefits because the complaint is that there are workers who receive 110% or 115% of their pre-injury net earnings, and I think even the Ontario Federation of Labour—I stand to be yelled at—agrees that they should not make more than 90% of their net pay. I think that has been agreed to.

Interjection.

Mr Mahoney: Oh, Gordie doesn’t agree with that any more. Or he does. I’m not sure what that means.

We believe—I’ll speak for myself—that they should not be paid more than 90% of their net, so we would flat-line the benefits. That’s going to reduce the cost but not that dramatically.

Interjection.

Mr Mahoney: Well, not that dramatically. You have to do a number of systemic changes in this whole system

to get the unfunded liability in line.

To give you an example: The investment fund last year in the WCB showed a return of about 12%, and most of the investment decisions were made in-house. There was a little bit of outside experimentation, but most of it was made in-house. The teachers' pension fund last year showed returns of 22%. Somebody left 10% on the table with this thing. Now, \$6.8 billion, you leave 10% on the table, that's a lot of money.

Hon Mr Pouliot: Well, they're down 6% in the first six months of this year. That's a lot of money.

Mr Sutherland: What's the average? Don't take the highest.

Mr Mahoney: Rather than argue with me, why don't you look at it? Why don't you look at the possibility of using exclusively private sector investment firms to make the decisions? It's entirely possible you could make more money.

The other thing is, the two-week voluntary self-insurance will reduce your costs. There are a number of things you can do that will bring that into balance.

The Conservative Party's position is that we just slash benefits because we gave got to balance the unfunded liability 100% today—now. That's clearly their position.

Mr David Turnbull (York Mills): That's not true. That's simply not true.

Mr Mahoney: Well, that's what I've heard stated by your leader on numerous occasions.

Mr Arnott: On a point of order, Madam Speaker: The statement that the Liberal critic just made is totally inaccurate and I ask that he withdraw it.

The Acting Speaker: That is not a point of order.

Mr Arnott: We have indicated that we'd like to see the unfunded liability reduced to zero by the year 2014.

The Acting Speaker: The member for Mississauga West may continue his remarks.

Mr Mahoney: What's really interesting is, since they've had trouble justifying some of their original positions, they have, I will have to agree, modified their position. It's quite interesting.

Interjections.

Mr Mahoney: Ever since they read this document, in fact you hear the statements, "Wait for the speech from the critic." You'll be quite amazed to find a lot of it in here. Originally, their leader said he wanted to fund it 100%; now they're saying by the year 2014. Well, okay.

Mr Turnbull: On a point of order, Madam Speaker: I believe that the member who is debating at the moment is misleading us about what my party leader has said.

The Acting Speaker: I would ask the member to withdraw his comments. That is not acceptable in this House.

Mr Turnbull: I will certainly withdraw the wording. I won't withdraw the fact that he is indeed telling us things that our leader never ever said.

The Acting Speaker: The member has been asked to withdraw. Will you do that?

Mr Turnbull: I did.

The Acting Speaker: Thank you. Each party will certainly get the time to put their position on the record, and now I must go back to the member for Mississauga West.

Mr Mahoney: I can appreciate it. I know they're having some trouble dealing with some of the changes that have occurred in the position on workers' compensation. I understand why, though, because when you actually go out and do your homework and you listen to the problems here, then you come to the realization that maybe some of those positions are a little untenable so you'd better modify them because you're upsetting a whole lot of people.

The fact is that this party over here, the no-name party of this province, has said they would slash benefits to injured workers—absolutely unequivocally their way to fix the workers' compensation system—and I reject it entirely.

Hon Mr Pouliot: At least we have a philosophy. At least we have an approach.

Mr Mahoney: Well, we have an approach too, and you know what's really interesting? The minister of northern affairs—did I get that right?—is shouting over there that at least they have an approach. You used to have an approach too. I heard your good friend Shelley Martel up here on Bill 162. I heard her ranting and raving. Where is she today? Where is your philosophy and your approach today? You have absolutely abdicated your party's position and your responsibility.

I don't really care about that, because I don't happen to like most of your positions, if any. The real problem is that you've brought in a bill that does absolutely nothing towards fixing the workers' compensation system, and then what do you do? You decide you're going to give in to the business community on the issue of financial responsibility, supposedly being put in the purpose clause, and you come up with a clause with a few tricks in it. Then what do you do? The very next amendment, you spend all the money. You say that the board should be financially responsible, but there's no responsibility for the Minister of Labour to be financially responsible. And on top of that, in this legislation, the Minister of Labour, frightening as this may sound, for one year after this bill is passed into law has total and complete and irrevocable control of the Workers' Compensation Board.

One of the other things we heard as we travelled around the province was that you've got to depoliticize this entire system, put in place a board that is multistakeholder with a senior management team and a president and CEO and a senior management team to run this thing as if it were a business, recognizing that this system is an income replacement insurance program. Don't put it in the hands of a politician. In fact, that's who used to run it. Wasn't it your—I shouldn't be unkind to someone who was fired by the Premier, but the previous chairman was a member of the NDP caucus for some 10 years and wound up, as a result of that wonderful piece of qualification, becoming the chairman of this insurance company? It's absolutely outrageous.

We need people with competency, with experience to

run this board to put in place the kind of reforms that we need to save the compensation system. I admitted earlier that all three parties in this place have enough blame to share for the problems, but you have got the opportunity to fix it and you're blowing it. You're doing nothing. You're destroying NEER. You're taking incentive out of here. You're putting in place a system where the employers are frightened to death for any future for this board. You're doing nothing to sustain the financial accountability of this system, and then, to make matters even worse, you're shoving it down our throats.

I had planned on leaving extra time for one of my colleagues and I unfortunately got on a roll and didn't leave enough, but I'm going to sit down and at least leave him 40 seconds.

Mr Tim Murphy (St George-St David): I very much appreciate the fulsome opportunity I get to speak on the bill, and I want to thank the member for that opportunity. I want to say that what I hear from my constituents is of real concern related to the operation of the Workers' Compensation Board and that they're concerned that this bill, as it is now, will not help that situation. That's both from injured workers' perspective and from the small businesses in my riding, who are saying the cost of the system is too high and in fact that the way the rating system and other incentives are working in the system, and as proposed, will cause great havoc in the system and they need to get their costs down in order to be able to continue to employ workers—

The Acting Speaker: The member's time has expired. Further debate.

Mrs Witmer: Today we have one final opportunity to discuss Bill 165, the act to amend the Workers' Compensation Act and the Occupational Health and Safety Act. Although the government had ample opportunity to reform the WCB system and attempt to address the concerns of the employers and the employees and injured workers, it was not until the spring of 1993 that the Premier finally asked business and labour, under the auspices of the PLMAC, to review the problems of the workers' compensation system. He asked them at that time to work together to produce a new system which would pay workers fairly and also meet the test of being financially sound.

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The employer proposals, if followed, would have virtually eliminated the unfunded liability by the year 2014, they would have secured future benefit payments, they would have improved vocational rehabilitation, which is extremely important, and they would have placed the system on a secure footing while also improving the economic climate in this province, and also then, in turn, leading to the creation of new jobs. I can tell you, as I've told you before, that the unfunded liability of \$11.7 billion is a deterrent to new business moving into this province. It's also a deterrent, to those who already have investments, have factories, to expanding. They are simply choosing to look outward to other provinces such as New Brunswick and Manitoba and to the United States.

In essence, it is legislation such as Bill 165 and Bill 40

and employment equity which have all placed a wall around the province of Ontario. It's a wall that says to people: "Don't come here. We have very restrictive employment laws and we have too much red tape and we have too much government regulation." So people are choosing to go elsewhere. However, even though the Premier had the opportunity to bring forward some proposals and a reform agenda that had been proposed by the management and labour sides, he aborted the process, he ignored the reform agenda and he brought in, of course, Bill 165.

Unfortunately, the bill that we have before us today, that we are discussing for one last time, does not meet his objective to produce a new system that will pay injured workers fairly and it certainly does not meet the test of being financially sound. I'll address both of those issues more thoroughly.

Why will Bill 165 not solve the problems of the workers' compensation system?

(1) Instead of reducing the unfunded liability, which we all know is a cause for concern, it's going to increase it to at least \$15 billion by the year 2014.

(2) Bill 165, instead of imposing fiscal responsibility by means of a purpose clause, provides the authority to expand benefits and coverage without any regard as to the financial impact on the system.

(3) Instead of assisting the older workers who are in genuine need of additional assistance—and we know there are individuals who do need the additional money—this bill further stresses the financial health of the system by awarding additional benefits without any kind of needs analysis, and that definitely should have been done.

Mr Murphy: On a point of order, Madam Speaker: Given that the government is ramming this through on time allocation, it should have the courtesy of having a quorum in the House.

The Acting Speaker: Would the clerk please determine if a quorum is present now.

Senior Clerk Assistant and Clerk of Journals: A quorum is not present, Speaker.

The acting Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present.

The Acting Speaker: Now the member for Waterloo North may continue her remarks.

Mrs Witmer: Continuing my remarks as to why Bill 165 does not solve the problems with the workers' compensation system:

(4) Rather than providing employers with more meaningful incentives for reducing workers' compensation costs, this bill only introduces more complexity, imposes additional punitive measures and seems to replace experience rating altogether with a system that is going to recognize a process rather than results. Yet we have to remember that experience rating has been largely responsible for the 31% reduction in accidents since 1989 and the significant cuts in the average time on claim, by almost four weeks, in the last few years.

(5) While the accord found it sufficient for the WCB

to enforce the existing pre-employment provisions in the act, Bill 165 imposes yet further penalties and administrative complexities. By its treatment of the return-to-work provisions, the bill is moving the WCB away from the role of being an adjudicative body to an agency that is focusing on return to work and mediation as its primary function. This was not a part of the accord.

(6) Instead of including injured workers on the board, we see that there is simply a bipartite mechanism for representation, and our party is very supportive of including not only injured workers but also health professionals.

Instead of creating a more arm's-length relationship between the government and the WCB, Bill 165, by authorizing the government to issue policy direction to the WCB's board of directors, undermines the very principle of independent administration that was the cornerstone of the system designed by Justice William Meredith 80 years ago. To make matters even worse, the power to direct policy is not balanced by any increase in accountability on the part of the government. Thus, the government will be free to dictate a policy which could have disastrous financial consequences on the system without even having to answer further for it.

Furthermore, the amendments to the purpose clause do not require the government and the WCB or its agencies to conduct their affairs in a financially responsible or accountable manner. The Workers' Compensation Appeals Tribunal, which is responsible for the granting of money and for new entitlements such as workplace stress, is not subject to this provision. As well, although the government is able to impose policy directions, as I said before, it is not subject to this provision either.

It is obvious that the government's approach to WCB reform contained in Bill 165 has caused and will cause damage to all of the parties that have been involved in the process. It doesn't respond to the concerns of the employers, the employees or injured workers. We heard this said repeatedly during the course of the public hearings. We continue to receive that type of information. Most recently, we have received information from injured workers telling us they're not happy with Bill 165. It has not taken into consideration the concerns they have.

What we have here is a bill in which everybody loses. Employers are going to continue to face cost increases. Workers will continue to face uncertainty about future benefits, as will the injured workers, and perhaps worst of all, as a result of the government aborting the process that it had established, neither party today has any faith left in the system itself.

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Furthermore, we need to remember, and the government seems to have totally forgotten this, that there is a financial crisis at the WCB. The unfunded liability is real. It must be repaid one day, and it is irresponsible and destructive to simply continue to pass that debt to the next generation of employers. As I said before, there just has been no attempt whatsoever to reduce the unfunded liability of \$11.7 billion. In fact, what we're going to see as a result of this bill is an increase to \$15 billion by the year 2014, and that is just not acceptable.

We know that assessment rates have increased by almost 200% since 1980 and yet the accident frequency has declined by 30% since 1989.

We also must remember that the crisis is real, the unfunded liability is real, and it's this deplorable state of the WCB's funding that has been a factor in reducing Ontario's credit rating. It has acted as a disincentive for businesses who might consider relocating or establishing their operations in our province.

It is a fact, and the government must recognize it, that the system is technically bankrupt. They need to recognize that cash-flow shortages required the sale of assets last year.

As we today consider Bill 165 we need to ask ourselves, what does this bill do to protect the long-term financial interests of those it is supposed to protect: the injured workers, the employees and the employers of this province? It is obvious when we ask ourselves that question that this bill does not protect the long-term interests of those individuals. It is extremely unfortunate that the government was not able to put aside partisan considerations and have the courage and the foresight to withdraw the bill, as many individuals and groups asked it to do, in favour of legislation that truly reflects what people across this province have determined to be in their best interests.

And it's unfortunate, although they were not able to find the courage to withdraw the bill, that they were not able to at least re-establish the purpose clause as it was agreed to in the accord. They refused to do that as well.

This bill, I just want to highlight again, does not provide the employers or the employees with the necessary tools and cooperation required to ensure effective rehabilitation and safe return to work through education and availability of effective resources. On the contrary, as I pointed out, the bill imposes more penalties on employers and yet more non-rehabilitative tasks on the case worker.

These solutions are not solutions to the very complex and difficult task employers face in returning workers to the workplace. Again, it's this political interference in the system that has resulted in organizational paralysis, a lack of effective governance and administration of the system.

We had Bill 162—we need to remember that—implemented in 1990. That was incredibly complex for the WCB to administer, and even today its implications are not yet totally clear. That bill was put into place without full consultation with employers or with the people administering the act, and we still have chaos today and we still have fiscal uncertainty because of that bill. I can tell you that just as Bill 162 created chaos and uncertainty within the system, Bill 165 will only add to the problems at the WCB. It is not a solution in any way, shape or form to the very serious problems there today.

As I said before, the government had a wonderful opportunity to truly reform the WCB. The stakeholders across this province were all in agreement that there was an overwhelming need to reform the system. There also was at one time overwhelming support for the royal commission, and I can tell you that the support for that

royal commission has also waned now, because it must overcome two very significant barriers.

First is the unprecedented decision taken by the government to appoint the chief commissioner, Mr Lyle Williams, from the labour community. All previous royal commissions on WCB have been conducted by neutral third parties from the judiciary. So this is a barrier: He does not have the confidence of all of the parties in this province.

Second is the terms of reference of the review. The people across this province were most supportive of the need for a royal commission because they believed that the key issues of concern were going to be addressed, and the key issues of concern to people in this province were the future disability delivery models. However, the royal commission is not going to deal with that issue. It is mandated to review issues such as benefit levels, entitlement and coverage. I can tell you, those are issues for which no royal commission is required.

This government could and should have taken immediate action. They've had ample opportunity since 1990 to do so. In fact, other governments across this country have taken immediate action. Take a look at governments in Manitoba, Nova Scotia, New Brunswick, Newfoundland and PEI. They have all taken courageous decisions on a number of workers' compensation issues. This has proven that it is not necessary to delegate and postpone decision-making to a royal commission and that meaningful and serious reform is based primarily on political will, political will which this government has not been willing to demonstrate up until this time.

I want to refer now to a little survey that was done in the fall of 1993 by M.C. Warren and Associates regarding the WCB's terms of reference. They asked some questions to business people in this province. It was interesting, because when they asked about taxation of benefits based on gross earnings, 84% of the employers supported the taxation of these awards.

I mention that because the significance of this revenue loss to government has not been lost on the federal Minister of Finance, Paul Martin, whose department disclosed in late October 1994 that the non-taxation of workers' compensation payments removes \$695 million from the treasury. I find it interesting, because I've listened to the Liberal critic, and he's indicated that this type of thing is not being contemplated. But why has Paul Martin publicly made a comment about the fact that these are not taxed and this is money that is now removed from the treasury? I wonder if, like Mr Martin, who's now proposing changes that were totally unsuspected months ago, our own Liberal colleagues are not contemplating making some changes if they were to have an opportunity to do so.

In addition, 88% of the respondents believed that the Ontario WCB should reduce its administrative costs immediately, with a further 76% identifying that a reduction target of 10% should be established. Some 69% of respondents supported privatization of services such as vocational rehabilitation.

The Ontario employers who responded to this survey generally supported the policy agenda and direction

already initiated in other provinces to: reduce benefit levels, as Manitoba, New Brunswick, Newfoundland and Nova Scotia have done; introduce a waiting period, such as New Brunswick and Nova Scotia have done; consider taxation of workers' compensation benefits, as Quebec has done; aggressively reduce administrative costs, such as Alberta has done and which our party strongly supports as a means of reducing the costs; and extending coverage to more workers, such as they have done in British Columbia.

That is an indication of where Ontario employers, some of them at least, are coming from on the issue of reform of the WCB.

1710

I want to conclude my remarks at this point by again, as I have in the past, highlighting the WCB reforms that the Ontario PC Party would introduce. We believe very strongly that the WCB must return to its original concept as a workplace accident insurance plan. We believe it is time to listen to what is being said. Our proposals to deal with WCB reform include:

(1) Entrench the concept of financial accountability in the purpose clause. This must be done if we are to ensure that benefits will be available for injured workers in the future.

(2) A freeze on new entitlements such as stress until there is a plan in place to deal with the unfunded liability, which we have indicated we wish to reduce to zero by the year 2014.

(3) Limit stress claims to those that result from a traumatic event in the workplace.

(4) Reduce benefit levels, as Manitoba and New Brunswick have done, to 85% from 90% and investigate lifetime pension awards.

(5) Replace political appointments with a new management team of insurance professionals to improve productivity, case management and quality and customer service such as, as I mentioned before, they have done in Alberta.

(6) Introduce value-for-money audits and spending controls. People still continue to tell us it was ridiculous that the WCB was able to get away with awarding a contract to build a new \$200-million office tower without first getting government approval or at least being accountable for the decision.

(7) Examine contracting out for both the administration and provision of workers' compensation services and enlist private sector expertise to develop less expensive and more effective ways to retrain, rehabilitate and respond to the needs of injured workers.

(8) Replace the bipartite model of governance with a multistakeholder model and include there seats for injured workers, health professionals and others who have a stake in the system.

(9) Eliminate the Workplace Health and Safety Agency as it presently exists and make it a department of the WCB. We need to take a look at how we can continue to prevent accidents in the workplace.

(10) We need to redefine "accident" to ensure that

employment is the dominant factor.

These are the reforms that the Ontario PC Party would introduce. It's unfortunate that there has not been an opportunity in the past four years and a few months to do this. It's unfortunate that the bad faith and the favouritism that the government has shown in the consultations on this issue have harmed business-government relations and management-labour relations to the detriment of Ontario's reputation as a place to do business. They have also destroyed any confidence that business had in the bipartite process.

It is also unfortunate that at a time when the workers' compensation system is in serious disrepair and desperately needs thorough reform, the government has opted for a package that will only worsen the state of workers' compensation in Ontario and does not address the needs of all the parties concerned.

Meaningful reform of the system will now have to wait for another day and for another government, and I can tell you that our party is committed to ensuring that meaningful reform will occur and that consultation will take place with all those who will be impacted by the changes.

Mr Arnott: It's with great disappointment that I rise this afternoon to speak to third reading of Bill 165. I say that for a number of reasons.

I participated for a couple of weeks in the hearings on this bill during the course of the summer and into the fall in the resources development committee, and I heard a great number of presentations made with some good ideas about how this bill could have been improved upon. Of course, many of those ideas were not accepted during the context of clause-by-clause deliberation. Many of those amendments we put forward were rejected by the government party.

I say that I'm disappointed because I believe that in the long run injured workers are not being well-served by this government's feeble attempt to change the workers' compensation system in Ontario. I say that because business people in this province are going to continue to see the kinds of increases in premiums that we've seen over the last two or three years, I would suspect as a direct result of this bill, and that concerns me very much.

I think in many ways our businesses, because of government policies, are uncompetitive overall, and I feel that addressing the workers' compensation system and the government's policies in that respect could go a long way to enhance the competitiveness of our businesses, which would lead to more jobs. I feel very strongly about that.

I see with this bill that ideology has prevailed over common sense, politics seem to have prevailed over good governance and financial irresponsibility has prevailed over sound management principles, the basic precept that all of us in Wellington county live by every day of our lives, the need to live within our means.

When this bill passes, and I expect it will unless there's some dramatic change of heart on the part of the government over the next day or two, whenever the vote takes place, workers will be very, very worried about whether or not there will be a viable compensation

system in place should they get hurt at work.

I think employers will be very, very angry about how the government has played politics on this issue and they will see this as another abject betrayal by this pro-labour government.

I believe we will see a complete lack of commitment to the need for financial responsibility or cooperation among the various partners who have a stake in the workers' compensation process.

I believe taxpayers and their children should be very, very concerned if this bill indeed does pass, because it appears that any action to bring financial sanity to the affairs of the board will be delayed inevitably. Therefore, it would look more likely that taxpayers will be on the hook for the workers' compensation unfunded liability at some point in the future.

We know with any financial problem that any government faces, the longer the issue is delayed or put off, the worse it is and the more difficult it is to address when inevitably the day comes when it has to be addressed.

I want to speak again about the unfunded liability of the Workers' Compensation Board. Surely this is the most important issue facing the workers' compensation system today, purely because of its magnitude and the fact that it's growing and it's going up. The trend is upwards instead of downwards.

Currently the estimate we're using is that the unfunded liability is about \$11.7 billion. It's rising at the rate of \$1 million a day. Bill 165 does nothing to address the unfunded liability problem in a meaningful way. In fact, it actually increases the unfunded liability, projected to about \$15 billion by the year 2014 by the government's own estimates. The position of our party that we've put forward is that the original plan to eliminate the unfunded liability that we had initiated as a government in 1984, a 30-year plan—we ought to get back on track with that plan and get the unfunded liability eliminated to zero by the year 2014.

We find that employers are also very concerned that the growth of the unfunded liability means out-of-control assessment increases which have no correlation to an employer's safety record. Assessments go up because of the failure of the system to come to terms with its unfunded liability.

I've received a great deal of mail on this issue from many people within my riding and from adjacent ridings. I received a letter from William MacKinnon, who is president of MacKinnon Transport Ltd in Guelph, and I think he's articulated in a very clear way many of the problems with respect to this bill as it affects the unfunded liability. He writes:

"My greatest concern is with respect to Bill 165's failure to effectively address the escalating WCB unfunded liability and the resulting impact on assessment rates. Recently, the board of directors of the WCB approved an assessment rate increase for the trucking industry of 10% over the 1994 level. For my company, this represents a double-digit increase for the second year in a row.

"Assessment rate increases of this magnitude are never

welcome news. However, when you consider the trucking industry's improving accident performance and the failure of Bill 165 to adequately address the expenditure and financial responsibility problems at the WCB, the prospect of higher assessment rates in 1995 only serves to increase my sense of frustration and disappointment.

"It is my contention that until the government takes the necessary steps to address the unfunded liability, the government's dependency on assessment rate increases will not be broken. I understand and accept being charged for unfunded liabilities that are caused through injuries that relate directly to my company but I should not be expected to shoulder any portion of the unfunded liability that has been caused by other companies that are no longer in business.

"We are all aware WCB appears to be broken. Broken to the point of not controlling expenditures, but not broken to the point of generating enough revenue to run an organization of such magnitude."

1720

So in essence what he's saying, literally, is that he shouldn't be responsible for other companies' accident records and that the government's inability and failure to deal with the unfunded liability issue is going to be very, very difficult for the competitiveness of his company over the long term.

We also see that the growth of the unfunded liability may have very negative repercussions in the future for injured workers and for the taxpayers in Ontario. From the employees' perspective, the failure to address the unfunded liability will put the future payment of benefits to injured workers at risk, as I've said earlier, and from the public's perspective, if the Workers' Compensation Board can't cover payments to injured workers, will the taxpayers in Ontario be expected to take over the payments?

Taxes are already too high. People in business are taxed out. The government must start acting responsibly in managing its resources and not raise taxes to cover its mismanagement. The unfunded liability and the government's inability to develop a strategy to reduce it has been identified by the bond rating services as a cause for concern. Higher ratings mean higher interest costs on borrowed money, which we can ill afford when we are looking at an estimated debt this year of approximately \$90 billion.

I think we also must look at the unfunded liability in terms of the economic costs in terms of job creation to the province.

We have heard the Liberal critic for the Labour portfolio, Mr Mahoney, the member for Mississauga West, talk about what the Liberal Party would do if they came to power with respect to the workers' compensation issue, and I've listened very closely to him in committee and in this place. He says the Liberal Party would endeavour to address the problem of the unfunded liability, but he talks about solutions in a very vague way and he doesn't cost exactly what initiatives he intends to do, what impact they would have on the bottom line of the unfunded liability. So we don't know exactly what effect they

would have or what effect he would hope they would have. He implies that our party's position to reduce the overall cost of benefits—that we are unsympathetic to injured workers.

It is precisely because we are very sympathetic to injured workers that we're most concerned about the long-term viability of the whole system. That is why we have to take some unpleasant steps. The government itself has taken an unpleasant step, and I know for the parliamentary assistant to the Minister of Labour, the whole concept of the Friedland formula is anathema, I think she said during the course of the committee. It's not an easy thing to do, but financial reality at some point stares you in the face and you've got to do something about it.

We're not excited, we're not happy about some of these things we're putting forward in terms of the need for them, but the reality is that the system has a severe financial problem, and if we're all being honest with ourselves, we're going to have to take steps to deal with that financial problem. It's because we're sympathetic to injured workers that we want the system to be maintained over the long run, and so that motivates our policy.

Interjection: Yeah, right.

Mr Arnott: It does.

The unfunded liability discourages companies from locating in Ontario. They see the costs of workers' compensation assessments and pick other jurisdictions with lower costs, and I've talked about that previously.

Another major issue with respect to this bill is the experience rating system. Bill 165 will change the experience rating system, which in the past has rewarded employers with good safety records. Under Bill 165, the government intends to complicate the experience rating system by basing it on rather vague criteria such as whether or not an employer has rehabilitation programs or return-to-work practices within its workplace. I don't understand exactly what that means and I don't know what it means in terms of dollars and cents, but I assume it means a civil servant assessing a company's practices with respect to return to work and with respect to safety committees and so on, and then arbitrarily making a decision as to whether or not that meets the government's criteria.

I would rather see the experience rating system enhanced. We've had a suggestion made to us, and I think it's a good one, that instead of basing the experience rating on past performance of safety in the workplace, you give a positive incentive for the future, so for the coming year giving employers an incentive that if in the coming year they have a better safety record, their premiums will be reduced and they'll get a bottom-line incentive to improve safety in their workplaces. I think that would be a better way.

I think we want to enhance the experience rating system in a direct way and not gut it, which is essentially what I believe the government is doing with respect to this bill.

I received another letter from a constituent, Gerald Boyes, Boyes Plumbing, of RR 1, Orton, and I'd like to read just a couple of excerpts from it. It concerns the

experience rating system. Mr Boyes wrote the former Minister of Labour, Bob Mackenzie, on October 19 of this year and he said:

"An insurance system such as the WCB must adjust its costs in response to the performance of the customers. Employers in the past eight years have reduced accident frequency by 30% and employers in my industry, construction, have reduced injuries by 61% over the same period. However, instead of lower costs, our average premium per employee has soared from an average of \$982 in 1983 to \$2,508 in 1992," a 261% increase in their premiums.

"The costs of WCB coverage for the construction sector are particularly sad. When you divide the reduced number of lost-time injuries by the total expenditures in the construction sector, you will find that each accident costs the employer an average of \$55,000, an increase of 517% over 10 years.

"Until Bill 165, the one saving grace of the system was the experience rating system. If an employer reduced accidents and saved the board money, some of the savings were passed on, and if not, the employer was surcharged. The beauty of the program is that it is 100% driven by performance. But Bill 165 says that it is not as important that I reduce accidents and bring workers back to work as how it is done.

"Obviously, it is now all right to have accidents if there is a paper trail that shows there shouldn't have been an accident in the first place. That may be how government works, but it doesn't apply to the construction industry. My business succeeds based on performance, not on theory. When I show I know how to install a mechanical system in a building, all of the knowledge is useless until we build it and it works."

The Canadian Federation of Independent Business has echoed this concern as well, I think very effectively. They've said that small business owners have witnessed their own premiums consistently increasing, despite a major reduction in accident rates and the extension of workers' compensation benefits to accidents and injuries having dubious, if any, connection to the workplace.

Another major issue with respect to this bill is the purpose clause. We've heard this issue discussed extensively. Of course, the Premier appointed a special committee to give him recommendations, give him advice on the workers' compensation issue. He called it the Premier's Labour-Management Advisory Committee and it came back with a number of recommendations. The government then cherry-picked certain aspects that it liked and ignored others that it didn't like.

The purpose clause was something that was seen to be important by labour and management in that they agreed that the purpose clause should require that any proposed changes to the benefits, the services, the programs or the policies under the act be thoroughly analysed in order to evaluate the financial consequences of the proposed changes on workers and employers.

This was an effort to achieve the balance between the need to provide adequate and fair compensation to injured workers and the need to keep the system affordable for

everybody. However, the purpose clause contained in Bill 165 does not require cost to be taken into account when new provisions are considered by the government or the Workers' Compensation Board. It means that if new categories of injuries are added without analysis of their impact on cost, the unfunded liability will grow.

This is discussion about the bill, this is discussion about what we've seen in the last four years from the New Democrats on the issue of workers' compensation. But what I'd like to do now in the remainder of the time that I have available to me is talk about what we need to do to restore confidence in the workers' compensation system.

We need a plan to eliminate the unfunded liability to zero by the year 2014. We need to reduce workers' compensation premiums by 5%. That would save employers \$98.5 million, and we believe that's absolutely essential as part of the need to send out a signal around the world that Ontario is again open for business.

We need to study the possibility of privatizing parts of the administration of the Workers' Compensation Board. I think we need to entrench a concept of financial accountability in the purpose clause that would govern the administration of the board at every level. We need a freeze on new entitlements, such as stress, until there's a plan in place to deal with the unfunded liability. We need to limit stress claims to those that result from witnessing a traumatic event.

We need to reduce benefit levels to 85% of net income and investigate lifetime pension awards, again as an effort to try and deal with the unfunded liability in a meaningful way. We need to replace political appointments with a new management team of insurance professionals to improve productivity, case management, quality and customer service. We need to introduce value-for-money audits and spending controls at all levels in the board.

We should eliminate the Workplace Health and Safety Agency because we've seen numerous examples of why bipartism is not working. We should make the Workplace Health and Safety Agency a department of the Workers' Compensation Board and develop programs that respond to the need of the employee in the workplace.

1730

Our Labour critic introduced a resolution during the course of the committee hearings on September 27 that called for the withdrawal of Bill 165 because it's so seriously flawed, because the bill does not address the unfunded liability crisis the board is facing, because it imposes more administrative burdens on employers and it puts Ontario at a competitive disadvantage with other jurisdictions. The resolution, of course, was defeated by the government and we're here today. The government did not amend Bill 165 to any significant degree and the bill does not reflect the needs of workers or employers.

I would like to say in closing, with respect to Bill 165 that, yes, we need to address the fundamental problems in the Workers' Compensation Board system. We need to decrease the number of accidents overall so as to reduce the financial demand on the system and we need to support the return to work of injured employees after

they've gotten better. I think we all agree on those two points, but it's a question of how do we get there.

We believe the benefits have to be affordable over the long term or the system overall becomes in jeopardy. Benefits to injured workers over time might be in question. We believe that, again, with the passage of this bill, we see an example of ideology prevailing over common sense, politics prevailing over good governance and financial irresponsibility prevailing over the need to live within our means.

There are fundamental problems within the workers' compensation system, but the addressing of those problems will be put off until another day and another government. I can tell you one thing, in closing, that if it is the Progressive Conservative Party that the people call upon to form the next government, we will deal with these problems.

Mr David Tilson (Dufferin-Peel): I'd like to make a few comments with respect to Bill 165 and, of course, a few comments it will be because of the time allocation motion that has been allowed in this House.

Hon Ms Churley: Just get on with it.

Mr Tilson: You say, "Get on with it." The fact of the matter is we've got a very brief time to debate a very important bill. The standing committee held three weeks of public hearings from August 22 to September 8. You had clause-by-clause, which was concluded on November 28 of this year as a result of government time allocation motion. There's a time allocation motion in this particular House. So to say, "Get on with it," that's the whole problem with your government. You're trying to ram all of this legislation through, very important issues.

The people who come to this place to try and make comments with respect to very, very social issues such as workers' compensation must go away feeling very cynical. I'm going to be allowed 12 minutes, about 10 minutes to talk on this particular bill—

Hon Ms Churley: You just wasted two minutes.

Mr Tilson: It's regrettable that particularly the Minister of Consumer and Commercial Relations is bantering over there and not allowing me to make my comments.

I would like to say that this issue, of course, with respect to the reform of workers' compensation, received a great deal of optimism from all sides of the House and throughout the province when the Premier indicated that he wished to reform the workers' compensation because everyone recognized that reform was necessary.

I can tell you that one of the major issues that comes to my office is people who are disgruntled, workers and employers, with the system of the workers' compensation. The answer? The answer appears to be Bill 165. I can tell you that for something that's come forward, the Workers' Compensation Board certainly has been nothing but controversial since this government took office.

It has been embroiled in one public controversy after another since the NDP took office; specifically, one matter of contention was the \$11.6-billion unfunded liability that continues to climb in this province without any real effort to reduce that. As well, the assessment rate

increases continue to come forward. More importantly, there is the \$180 million at last count—I suspect it's closer to \$200 million—for the new building that's being built just near SkyDome.

Finally, as a result of all of this, the Premier in June 1992 announced the appointment of the Premier's Labour-Management Advisory Committee in which business and labour were to get together and try and deal with some of these issues. It hasn't worked at all because all the recommendations—not all, but many of the recommendations that this committee put forward the government completely ignored with respect to the implementation of Bill 165.

This bill was introduced on May 18 of this year, it received second reading on June 14, and here we are. I'm one of only a few members who will be allowed to debate with respect to this bill and I'm being allowed roughly 10 minutes to speak. I have a lot of concern with that.

The bill totally ignored the reform plans that were recommended by the Premier's handpicked business advisers and union advisers. It does absolutely nothing to address the fiscal crisis of the system or the lack of financial accountability. I think accountability is one of the major concerns that we have. There doesn't appear to be any accountability with respect to fiscal responsibility.

I too have received letters, as I'm sure many in this House have. I have a letter that I received from one of my constituents in Bolton. It's a letter dated back in March, mind you, but it talks about their frustrations with the Workers' Compensation Board. They enclosed an ad that was for a chief vocational rehabilitation officer and was for a \$90,000 salary. In closing this she says:

"The enclosed ad was in today's Globe and Mail advertising for a rehabilitation officer, salary \$90,000. No wonder our workers' compensation rates are so high. This is another reason for business to leave the province and the country.

"I watched W5 on March 3, 1994, regarding the total unaccountable WCB operation. The new building that they are putting up in Toronto is a joke. What is your party line policy regarding this matter?"

I suspect that the Premier's office sent back a very vague response with respect to where they're going with this.

I can tell you that the only thing this bill does do is to place the NDP political agenda ahead of the total workers' compensation system. I think if you read it and if you read the philosophy as to where the bill is going, that's exactly what it does.

It very strongly resembles the labour agenda, notwithstanding the fact of the great opposition from many of the workers who came to the committee hearings. Worker after worker after worker opposed what is being done, yet that appears to be what this bill is to do, to follow through with the labour agenda.

The major concerns: One issue is with respect to the unfunded liability. It has been submitted by different organizations and groups on the issue of the unfunded liability, which is now at \$11.7 billion, that instead of

being reduced to zero it's going to go the other way; that this bill will result in the unfunded liability increasing to about \$15 billion in the year 2014. In fact, there are those in this province who have indicated that it could well increase beyond \$15 billion; it could be \$31 billion or even in excess of \$50 billion. That's of great concern when we start talking about the bond rating concerns of this province with respect to investing in this province.

There's no question that the Workers' Compensation Board in Ontario is in a crisis. The system is technically bankrupt now. When you look at that type of debt, it is bankrupt. It is money that simply can't be paid. This \$11.7 billion is what is owed to the injured workers of this province more than what they have to pay for. In other words, they don't have that amount of money to pay for it, so it's always in arrears.

I don't think that people thoroughly understand what an unfunded liability is. It simply means that it owes \$11.7 billion more than it has to pay the injured workers, and that's a real problem. I think that if the injured workers of this province realized that and the precariousness of this whole system, they would be deeply concerned. That's why, if this issue is not addressed, if the unfunded liability is not reduced to zero, we could place in jeopardy the future of benefits that are owed to injured workers. That is one of the issues that has been raised.

My time is fast disappearing. I would say that unless the taxpayers come up with the money, the system could go bankrupt. In other words, with all this money that could be owing, the system certainly could go bankrupt. Certainly I believe that everyone in this province has recognized and has indicated to us that they don't want any more taxation. The people in this province can't afford to come in and just simply cover the debt of the workers' compensation, and whether it's federal or provincial, any other government simply can't afford to do that.

1740

We have all hit a tax wall, and yet this bill clearly is going to continue the increase of the debt. The bond rating services, as I say, are a major concern. They have identified the unfunded liability as a cause for concern with respect to our provincial credit rating. The unfunded liability certainly acts as a disincentive to businesses that might be relocating in this province. Certainly the issue of rates that have to be paid, the premiums that have to be paid by businesses, is a great consideration when people move to this province.

I have about a minute left and I'm going to talk about the black hole clause, as I call it, and that is the purpose clause. Although this was to include a financial responsibility framework, it was never included in the manner in which it was intended and the way the bill is presently worded. It provides the authority to expand benefits and coverage without any regard for the impact on the system of the Ontario economy.

Again, it gets back to the letter I just read, the issue of accountability. There will not be any accountability with the purpose clause. The purpose clause and the financial responsibility framework were originally intended to inject a balance into the system, a balance between

securing benefits for injured workers and the need for financial accountability at every level within the system.

It was agreed by both sides, the labour and business representatives of this committee that was put forward by the Premier, that the purpose clause should require that any proposed changes to benefits, the services, the programs or the policies under the act be thoroughly analysed in order to evaluate the overall consequence of the proposed changes on workers and employers.

None of this has been reflected in this current legislation. In other words, it's a typical action of this particular government. They simply are saying: "Write a cheque. Somewhere along the line, it will get paid for." Hence, the unfunded liability continues to increase just like the debt in this province continues to increase.

That particular clause, of all things, is one that I think you should all take a strong look at before you vote for this particular bill. I, for one, will be opposed to this legislation. Thank you.

Mr Turnbull: Let me first of all start out by just quoting some of the statistics with respect to the Workmen's Compensation Board in Ontario. Ontario's credit rating is being impaired by many actions that this government has undertaken, but one of the considerations of the various rating agencies is the unfunded liability of the Workmen's Compensation—

Ms Murdock: "Workers"; it's not "Workmen's." It hasn't been for a number of years.

Mr Turnbull: There's a lot of background noise here. The same people who are cutting off debate, who refused to look—

Ms Murdock: Excuse me, but women are workers too.

Mr Turnbull: —in a reasonable way at the amendments that my party put forward with respect to this bill are cackling in the background.

The unfunded liability of the Workers' Compensation Board is some 2.5 times greater than all of the other provinces combined, a rather startling statistic. It's currently growing by \$1 million a day. This is just something to send a chill down the spine of anybody who is looking at locating a business in this province.

Since 1989, the amount of assessment earmarked for the unfunded liability has increased by 57%. So what does this mean? In real terms it means that new companies that are opening up business in this province are paying 28% of their premiums to fund the unfunded liability of companies that may actually have left the province, which is a very serious concern. That is the best way of ensuring that businesses don't want to open up here.

Ontario now has the second-highest assessment rate in Canada. Assessment rates have increased by almost 200% since 1980 and yet accident rates have declined by some 30% since 1989.

I think it's fair to say that we have vested interests being well protected by the current arrangements at the Workers' Compensation Board. It's vital that we get reform to secure future benefits for injured workers. This is the essential element. The reason this board exists is to

ensure that we protect injured workers; that's why it was set up in—if I remember correctly—1914. And yet the government is turning its back on the very reasonable proposals that were put forward by the employers' group that was advising the Premier with respect to the Workers' Compensation Board.

The unfunded liability today is some \$11.7 billion and, as we've said, growing by some \$1 million a day. There was a proposal put forward by the management representatives of the PLMAC to reduce the unfunded liability by the year 2014 to zero, which would have made Ontario a very attractive place to do business. There would be a pay-as-you-go system so that everybody who was injured would have their claims paid in that current year, which is very important.

The conference I attended last Wednesday and Thursday that was put on by the Fraser Institute, called Hitting the Wall, was attended by senior bureaucrats, politicians, bankers and media from around the world. We had the senior civil servant who worked under Sir Roger Douglas, a Labour government in New Zealand that addressed the serious problems, speaking about hitting the wall. We had the senior adviser to the governor of the Bank of Mexico when they hit the wall. We had the former Minister of Finance of Sweden when they hit the wall—all talking about the very serious problems that existed in Canada.

One of the concerns expressed was that bond rating agencies and in fact the lenders this government has turned to so many times are concerned about all the unfunded liabilities with respect to pensions and with respect to the WCB which ultimately could collapse back on to the citizens of Ontario unless we address this.

This government ignored the very sensible proposals that were made by the employers' group and decided to barrel on with its own ideas. It's a disincentive for business to locate here because businesses recognize the high cost of workers' compensation. In the equation of a business deciding where it's going to locate, they will look across Canada and they'll look at the United States. Indeed, we know that Manitoba, New Brunswick, Newfoundland and Prince Edward Island have addressed these problems, which is why they're getting some economic growth as a result.

1750

Ontario has been stymied by this Bill 165. There was great hope among employers when it was suggested that the royal commission would look at this very serious problem, but a lot of those hopes were dashed when the government appointed a labour leader to head this up. What we should have had was somebody who was very independent of the employers' groups and labour who could have dispassionately looked at the very serious problems and said, "This is how we're going to address it."

Hon Mr Pouliot: Someone like you, David.

Mr Turnbull: My friend from across the floor, the minister for northern affairs, says somebody like me. No, that's precisely what you're missing: not a politician, not one of your political hacks, but somebody who can be

dispassionate—that's precisely the point I'm making—so we can arrive at a reasonable solution, so we can have in this province the assurance that workers will be paid what they are due to be paid in the future and that the system won't be completely broke and it won't fall back on to the taxpayers to bail out a system that is absolutely out of control.

Heading up the Workers' Compensation Board we should have somebody who is an actuary, somebody from an insurance company who understands funding and management of what is an insurance scheme, plain and simple, but we don't have that.

The government has absolutely refused to put in this bill a purpose clause which is meaningful with respect to financial responsibility. Financial responsibility would call for a reduction of the unfunded liability to zero.

Also, we have a government which has put through a benefit increase of some \$200 per worker for older workers to extend beyond the age of 65. Let's just think about this: Traditionally, we've always thought, "Okay, pensions will click in at 65, therefore we don't need to spend as much money." An injured worker now under this scheme will receive more money after they reach pension age at 65 than somebody who hasn't been injured. They're both retired, but the injured worker is going to get more. There was a requirement that there should be some kind of needs assessment done, and this was suggested by the employees. There was an agreement between both the employers and the employee group that there would be an assessment, but this hasn't been done.

My party has put forward a 10-point plan to solve this, and I will just very quickly touch on it.

(1) Entrench concept of financial accountability in the purpose clause.

(2) A freeze on new entitlements, such as stress, until there is a plan in place to deal with the unfunded liability.

(3) Limit stress claims to those that result from a traumatic event.

(4) Reduce benefits, as Manitoba and New Brunswick have done, to 85% from the current 90% and investigate lifetime pension awards.

(5) Replace political appointments with a new management team of insurance professionals to improve productivity, case management, quality and customer service.

(6) We need to introduce value-for-money audits and spending controls—something this government has failed to do in so many aspects of its operations. They don't understand value for money.

(7) We need to examine contracting out for both the administration and provision of workers' compensation services.

(8) We need to replace the bilateral model of governance with a multistakeholder model.

(9) We must eliminate the Workplace Health and Safety Agency, because it is not working. Bipartism is not working. We need to make it a department of the WCB.

(10) Finally, we need to redefine the word "accident."

Benefits have to be cut, as I've said, and we need to follow the lead of other provinces. What has this government done? It has allowed the WCB to build a palace, a new headquarters, for between \$150 million and \$200 million. They were going to rent part of the premises to other people, but instead it isn't big enough for their huge bureaucracy.

The Deputy Speaker (Mr Gilles E. Morin): The member for Brantford, you have five minutes, I believe.

Hon Brad Ward (Minister without Portfolio in Finance): I'd just like to express my views on Bill 165, a very important bill in reforming workers' compensation. I don't know about anybody else in this House, but in my office of Brantford, dealing with workers' comp has become a very difficult issue since my election. We've had umpteen hundreds of workers who have been injured on the job coming to my office looking for assistance because of the service delays at the present compensation board. I think the way the bureaucracy has developed over the years has led to these delays.

Interjections.

The Deputy Speaker: Order. I won't accept any debates between members while the member for Brantford has the floor.

Mr Mammoliti: It's a speech, Mr Speaker. It should be allowed in here.

The Deputy Speaker: Order, please. The member for Brantford.

Hon Mr Ward: I'd like to point out in the five minutes I have that it's our government's view that any reform of workers' compensation would not be on the backs of the injured workers. It's not their fault they've been injured on the job, and we have to do something to try to improve the process, try to improve the system.

As a government, we looked at it two ways. We said: "What can we do in the short term to make improvements to the benefits, to the service that injured workers need and require? And in the long term, how can we look at the overall system to make it better to reflect the needs of injured workers and employers and the business community in the 1990s and into the 21st century?" We developed Bill 165 to deal with the short-term issues and we've assigned a royal commission to look at the long-term issues of workers' compensation.

Highlights of Bill 165 mean that a new bipartite structure for the WCB board of directors will be more at arm's length from the government; there will be a stronger emphasis on rehabilitating injured workers and getting them back to work safely and quickly; cost-saving measures, which include changes to indexing and establishing government-directed financial targets; special indexing protection for the most vulnerable injured workers, and an additional \$200 a month on the pensions of many older injured workers; and finally, the establishment of a royal commission, as I mentioned, to take a wide-ranging look at the workers' compensation system.

When you look at Bill 165 and how it deals with the financial reform of the system, we think the changes that will be brought in under Bill 165 will save a minimum of \$18.1 billion on the unfunded liability by the year 2014.

Currently, the WCB's asset-to-liability ratio is now at 36.7%, and if we had no changes, that ratio would decline to 17%. That would mean that things would get worse. With the changes we're bringing in in terms of the unfunded liability, the funding ratio will improve to 55%. So we are making inroads in dealing with what the opposition has expressed, a concern about the unfunded liability.

The real issue of reform, though, is dealing with the vocational rehabilitation, getting the injured people back to work. We think the reforms in Bill 165 go a long way to ensure that injured workers can get back to work as quickly as possible in a safe and justified manner, and we think that's very important.

When you look at the impact the reforms have on injured workers—and I've had calls in my office about this already—the \$200 increase in pensions for workers who are most vulnerable in the system, this is very good news indeed for the older workers who have been injured pre-Bill 162. There are about 40,000 of them across Ontario, many in my riding of Brantford, who are quite anxious to get this bill passed so that \$200 can go in their pockets. Maybe \$200 isn't much for some people in this House, but \$200 to an injured worker on a pension is quite a bit, and they're looking forward to it.

We're also dealing with the issue of the de-indexing, which is a very crucial issue, a very tough one. But still we are protecting the most vulnerable: 45,000 injured workers will be protected under full indexation. This includes the people who qualify for the \$200 pension increase, the survivors and dependants, 100% of post-Bill 162 wage-loss recipients, and 100% pre-bill pension recipients. So we are protecting the most vulnerable.

I think the issue of workers' compensation isn't going to go away. Our government is doing the best it can, in the interests of injured workers, to do some short-term changes that will be positive, that will be of benefit to injured workers, and in the long run I'm quite anxious to look forward to the recommendations the royal commission has in overhauling the entire system so that injured workers are protected and then can return to work safely.

The Deputy Speaker: Thank you. Your time has expired. The member for Sudbury, you have 10 minutes.
1800

Ms Murdock: Before I begin my closing remarks, I just have a number of people I want to thank. The staff at the Ministry of Labour have been unbelievably supportive and helpful, so I want to thank April Eastman, Sherry Cohen, Mitch Toker and Marg Rappolt and my own executive assistant, JoAnn Gosselin. There are no doubt others at the ministry who helped too, but I want to thank you very much for the work you have done on this bill.

I don't know where to start, because there are so many places to start after listening to two and half hours of the diatribe from across the floor. But first of all, there are a number of corrections, I think. The chair of the royal commission is not Lyle Williams, as stated by the member for Waterloo North, but is Lynn Williams. I'm surprised, if he's that well known, that she didn't know

that. I would have thought that everybody knew that he is a man of good conscience and is able to mediate extremely well. In fact, anybody who looks at the trade union movement knows that the whole business of trade unionism is learning to compromise and learning how to negotiate. So I would say that Lynn Williams is an excellent choice for the royal commission chair.

Having said that, I want to remind the parties opposite of where they were on the unfunded liability when they were the government of the day, because they make out that we, this government on this side, have been unconscionable in terms of how we have not, supposedly, controlled this debt.

In 1980, when the Conservatives were in power, the unfunded liability was at \$400 million. By 1985, when the Conservatives lost the government, they were at \$5.5 billion.

Interjection: How much?

Ms Murdock: At \$5.5 billion; I'll repeat that.

The Liberals then took over in 1985 and they started out at a \$5.5-billion unfunded liability. By 1990, when they lost the government, it was just over \$10 billion.

Here today, with the actions our government has taken, we are at \$11.8 billion. You're right, it's still a big problem, no question. But in the four years that we have governed, it has only grown by \$1.8 billion, not like the \$5.5 billion under the Tories and the almost \$4 billion under the Liberals.

I would say that we have taken control of this and we will take more control of this after Bill 165 because of the moneys that will be saved. So I will not accept the scaremongering that has been made by the Conservative speakers for the system to go bankrupt. For the workers' compensation system to go bankrupt in this province any year, 20 years from now or any year from now, every single business in this province would have to close down. I'm telling you that is not true, because if you look at the statistics from the Ministry of Economic Development and Trade, businesses are growing in this province, more and more are opening up, and unemployment levels are down.

The other point I wanted to make was the adjudicating system that the Conservatives have been mentioning, how we're moving from an adjudicative system into one that is more of mediation.

You're darned right, because in 1914, when the workers' compensation system was put in place, it was set up as an adjudicative system. Times have changed; 1994 is not 1914. I think we have to tell the Conservatives that over and over and over again, because we need to change the workers' compensation system. It doesn't work. An adjudicative system does not work.

Therefore, we have to go back to the system of looking at mediation and looking at return-to-work provisions. Return to work and getting healthy workers back to work quickly is and should be the goal of the workers' compensation system. I don't think that should have to be said, but in this place it seems that it does.

It is strange indeed. If we're driving small and medium-sized business out of the province, as the Liberal

critic has stated, then I would like to know why more and more businesses are opening in this province. Much has been made about the whole question of businesses worrying about their workers' compensation premiums, and frankly, on this the Liberal critic and I are in agreement. I don't believe they really understand, because when the Canadian Federation of Independent Business sent out a survey to all of their members in the country, one of the questions on their last survey was, "Do you believe that workers' compensation benefits should be taxed?"

As Mr Mahoney has said, 90% of net, and I thought businesses would understand what "net" meant, means that it's after tax. So to send out a questionnaire like that and get answers back obviously means that the very employers out there have a misunderstanding of what workers' compensation is and how it works, and I think that education, as stated under Bill 165, is extremely important.

I also want to speak to the bipartism issue, because that was raised under the health and safety agency. If the labour caucus, as the Liberal critic has pointed out, is dominating the agenda at the health and safety agency, then I would strongly suggest that the management nominees be stronger. They are not, I would hope, sitting there saying nothing.

They are equally represented on that agency and therefore should be able to speak up on behalf of their membership. Why they aren't, I don't know. But having said that, we're only hearing about the issues that there is controversy on. The hundreds of decisions that the health and safety agency have made have been done consensually.

Lastly, before I close, I want to talk about the order in council for the royal commission, because I think it's very, very important what they are supposed to be doing:

"Undertake an examination of the manner in which the workers' compensation system is currently funded, including considering strategies for retiring the unfunded liability over time."

"Benefits: Undertake an examination of the existing compensation structure in terms of the type and amount of benefits to determine whether the current system is appropriate in light of the purposes of a workers' compensation scheme...."

Entitlement: Consider "entitlement with a view to developing specific principles to permit a fair and efficient adjudication of entitlement issues."

Coverage—obviously, look, I mentioned that in my opening remarks.

"Occupational health and safety...system: Undertake examination of the mandates, roles and interrelationships of government organizations"—and they include—"the Ministry of Labour, the Workers' Compensation Board, the Workplace Health and Safety Agency, the Workers' Compensation Appeals Tribunal, the Industrial Disease Standards Panel," which is now the Occupational Disease Standards Panel, "the office of the employer adviser, the office of the worker adviser and the Institute for Work and Health."

It's to look at the "existing legislative, administrative, reporting and funding relationships between these organizations in order to determine the best means of achieving the fair and efficient delivery of occupational health and safety and workers' compensation...." The very thing that the opposition members have been asking for is being done.

"Current workers' compensation system's relationship with other compensation and income support systems"—and I think this is important—"Undertake an examination of the relationship of the workers' compensation system with other compensation and income support systems, including the Canada pension plan, no-fault auto insurance, criminal injuries compensation, unemployment insurance, private disability plans and social assistance programs. The purpose of this examination is to identify ways to achieve coherence and closer integration...."

Last but not least: to look at alternative compensation models, such as comprehensive disability.

Clear, unequivocal. All you have to do is read this, and I frankly don't think any of you over there have.

Anyway, the other thing is that they're asking for oral and written briefs from any person or organization to make their inquiries to the commission and they will hold public hearings. "And further that the commission establish advisory groups as it considers appropriate, consisting of business representatives, labour representatives, injured workers, health care professionals, members of the insurance industry and other relevant stakeholders," the very thing that the opposition members have been calling for and exactly what the Premier's Labour-Management Advisory Committee has recommended and advised.

Then they are to prepare "a plan of inquiry that

includes a budget, personnel requirements, the conduct of public hearings" and so on.

I would strongly urge everyone who wants to make a presentation to the royal commission to do so, to let them know at their first opportunity and make their presentation and their views known, and I look forward to the passage of Bill 165.

The Deputy Speaker: Ms Murdock has moved third reading of Bill 165, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

As previously agreed, the vote will take place tomorrow, the first order.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): Before I call the next order, the 38th order, which is Bill 198, we've had some discussions again among the House leaders, so I need to seek consent with some of the disposition around this bill before we proceed. Basically, I'm seeking consent to refer Bill 198 to the finance committee when it finishes second reading and for that committee to meet on Tuesday, December 6, from 10 am to 12 pm and from 3:30 pm to 4:30 pm in hearings and from 4:30 pm to 6 pm in clause-by-clause. The bill will be reported back to the House on Wednesday, December 7. I'm seeking consent for that.

The Deputy Speaker: Is it agreed? Is there unanimous consent? Did I hear a no? Agreed.

Report continues in volume B.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

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Sergeant at Arms/Sergent d'armes: Thomas Stelling

| Member/Député(e) | Constituency/Circonscription | Party/Parti | Other responsibilities/Autres responsabilités |
|--|------------------------------|-------------|--|
| Abel, Donald | Wentworth North/-Nord | ND | government whip / whip du gouvernement |
| Allen, Hon/L'hon Richard | Hamilton West/-Ouest | ND | Minister of Housing / ministre du Logement |
| Arnott, Ted | Wellington | PC | Vice-Chair, standing committee on estimates / Vice-Président du Comité permanent des budgets des dépenses |
| Beer, Charles | York-Mackenzie | L | Chair, standing committee on social development / Président du Comité permanent des affaires sociales |
| Bisson, Gilles | Cochrane South/-Sud | ND | parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs / adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones |
| Boyd, Hon/L'hon Marion | London Centre/-Centre | ND | Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine |
| Bradley, James J. | St Catharines | L | opposition House leader / chef parlementaire de l'opposition |
| Brown, Michael A. | Algoma-Manitoulin | L | Chair, standing committee on general government / Président du Comité permanent des affaires gouvernementales |
| Buchanan, Hon/L'hon Elmer | Hastings-Peterborough | ND | Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales |
| Callahan, Robert V. | Brampton South/-Sud | L | |
| Caplan, Elinor | Oriole | L | opposition deputy House leader / chef parlementaire adjoint de l'opposition |
| Carr, Gary | Oakville South/-Sud | PC | Progressive Conservative deputy House leader / chef parlementaire adjoint du Parti progressiste-conservateur |
| Carter, Jenny | Peterborough | ND | parliamentary assistant to Minister of Citizenship / adjointe parlementaire de la ministre des Affaires civiques |
| Charlton, Hon/L'hon Brian A. | Hamilton Mountain | ND | Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et délégué à l'Assurance-automobile |
| Chiarelli, Robert | Ottawa West/-Ouest | L | |
| Christopherson, Hon/L'hon David | Hamilton Centre/-Centre | ND | Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels |
| Churley, Hon/L'hon Marilyn | Riverdale | ND | Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce |
| Cleary, John C. | Cornwall | L | |
| Conway, Sean G. | Renfrew North/-Nord | L | Deputy Leader of the Opposition / chef adjoint de l'opposition |
| Cooke, Hon/L'hon David S. | Windsor-Riverside | ND | Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'oeuvre |
| Cooper, Mike | Kitchener-Wilmot | ND | parliamentary assistant to Minister of Labour; Chair, standing committee on resources development / adjoint parlementaire du ministre du Travail, Président du Comité permanent du développement des ressources |

| Member/Député(e) | Constituency/Circonscription | Party/Parti | Other responsibilities/Autres responsabilités |
|----------------------------------|------------------------------|-------------|--|
| Coppen, Hon/L'hon Shirley | Niagara South/-Sud | ND | Minister of Labour / ministre du Travail |
| Cordiano, Joseph | Lawrence | L | Chair, standing committee on public accounts / Président du Comité permanent des comptes publics |
| Crozier, Bruce | Essex South/-Sud | L | |
| Cunningham, Dianne | London North/-Nord | PC | |
| Curling, Alvin | Scarborough North/-Nord | L | opposition deputy whip / whip adjoint de l'opposition |
| Dadamo, George | Windsor-Sandwich | ND | parliamentary assistant to Minister of Transportation / adjoint parlementaire du ministre des Transports |
| Daigeler, Hans | Nepean | L | Vice-Chair, standing committee on general government / Vice- Président du Comité permanent des affaires gouvernementales |
| Duignan, Noel | Halton North/-Nord | ND | parliamentary assistant to Minister of Consumer and Commercial Relations / adjoint parlementaire de la ministre de la Consommation et du Commerce |
| Eddy, Ron | Brant-Haldimand | L | Vice-Chair, standing committee on social development / Vice-Président du Comité permanent des affaires sociales |
| Eves, Ernie L. | Parry Sound | PC | Progressive Conservative House leader / chef parlementaire du Parti progressiste-conservateur |
| Farnan, Hon/L'hon Mike | Cambridge | ND | Minister of Transportation / ministre des Transports |
| Fawcett, Joan M. | Northumberland | L | |
| Fletcher, Derek | Guelph | ND | parliamentary assistant to Minister of Citizenship / adjoint parlementaire de la ministre des Affaires civiles |
| Frankford, Robert | Scarborough East/-Est | ND | |
| Gigantes, Evelyn | Ottawa Centre/-Centre | ND | |
| Grandmaître, Bernard | Ottawa East/-Est | L | |
| Grier, Hon/L'hon Ruth | Etobicoke-Lakeshore | ND | Minister of Health / ministre de la Santé |
| Haeck, Christel | St Catharines-Brock | ND | Chair, standing committee on regulations and private bills / Présidente du Comité permanent des règlements et des projets de loi privés |
| Hampton, Hon/L'hon Howard | Rainy River | ND | Minister of Natural Resources / ministre des Richesses naturelles |
| Hansen, Ron | Lincoln | ND | Chair, standing committee on the Legislative Assembly / Président du Comité permanent de l'Assemblée législative |
| Harnick, Charles | Willowdale | PC | |
| Harrington, Margaret H. | Niagara Falls | ND | First Deputy Chair of the Committee of the Whole House; Vice- Chair, standing committee on administration of justice / Premier Vice-Présidente du Comité plénier de l'Assemblée législative, Vice-Présidente du Comité permanent de l'administration de la justice |
| Harris, Michael D. | Nipissing | PC | leader of the Progressive Conservative Party / chef du Parti progressiste-conservateur |
| Haslam, Karen | Perth | ND | |
| Hayes, Pat | Essex-Kent | ND | parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales |
| Henderson, D. James | Etobicoke-Humber | L | |
| Hodgson, Chris | Victoria-Haliburton | PC | |
| Hope, Randy R. | Chatham-Kent | ND | parliamentary assistant to Minister of Community and Social Services / adjoint parlementaire du ministre des Services sociaux et communautaires |
| Huget, Hon/L'hon Bob | Sarnia | ND | Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce |

| Member/Député(e) | Constituency/Circonscription | Party/Parti | Other responsibilities/Autres responsabilités |
|-----------------------------------|--|-------------|---|
| Jackson, Cameron | Burlington South/-Sud | PC | Chair, standing committee on estimates / Président du Comité permanent des budgets des dépenses |
| Jamison, Norm | Norfolk | ND | parliamentary assistant to Minister of Economic Development and Trade / adjoint parlementaire de la ministre du Développement économique et du Commerce |
| Johnson, David | Don Mills | PC | |
| Johnson, Paul R. | Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud | ND | parliamentary assistant to Minister of Economic Development and Trade; Chair, standing committee on finance and economic affairs / adjoint parlementaire de la ministre du Développement économique et du Commerce, Président du Comité permanent des finances et des affaires économiques |
| Jordan, Leo | Lanark-Renfrew | PC | |
| Klopp, Paul | Huron | ND | parliamentary assistant to Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales |
| Kormos, Peter | Welland-Thorold | ND | |
| Kwinter, Monte | Wilson Heights | L | |
| Lankin, Hon/L'hon Frances | Beaches-Woodbine | ND | Minister of Economic Development and Trade / ministre du Développement économique et du Commerce |
| Laughren, Hon/L'hon Floyd | Nickel Belt | ND | Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances |
| Lessard, Wayne | Windsor-Walkerville | ND | parliamentary assistant to Minister of Environment and Energy / adjoint parlementaire du ministre de l'Environnement et de l'Énergie |
| Mackenzie, Bob | Hamilton East/-Est | ND | |
| MacKinnon, Ellen | Lambton | ND | Vice-Chair, standing committee on regulations and private bills / Vice-Présidente du Comité permanent des règlements et des projets de loi privés |
| Mahoney, Steven W. | Mississauga West/-Ouest | L | opposition chief whip / whip en chef de l'opposition |
| Malkowski, Gary | York East/-Est | ND | parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation |
| Mammoliti, George | Yorkview | ND | parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels |
| Marchese, Rosario | Fort York | ND | parliamentary assistant to the Premier; parliamentary assistant to Minister of Intergovernmental Affairs; Chair, standing committee on administration of justice / adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales, Président du Comité permanent de l'administration de la justice |
| Marland, Margaret | Mississauga South/-Sud | PC | Chair, standing committee on government agencies / Présidente du Comité permanent des organismes gouvernementaux |
| Martel, Shelley | Sudbury East/-Est | ND | |
| Martin, Tony | Sault Ste Marie / Sault-Sainte-Marie | ND | parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation |
| Mathyssen, Hon/L'hon Irene | Middlesex | ND | Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs |
| McClelland, Carman | Brampton North/-Nord | L | |
| McGuinty, Dalton | Ottawa South/-Sud | L | |
| McLean, Allan K. | Simcoe East/-Est | PC | Vice-Chair, standing committee on government agencies / Vice-Président du Comité permanent des organismes gouvernementaux |
| McLeod, Lyn | Fort William | L | Leader of the Opposition / chef de l'opposition |
| Miclash, Frank | Kenora | L | opposition deputy whip / whip adjoint de l'opposition |

| Member/Député(e) | Constituency/Circonscription | Party/Parti | Other responsibilities/Autres responsabilités |
|----------------------------------|--|-------------|---|
| Mills, Gordon | Durham East/-Est | ND | parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels |
| Morin, Gilles E. | Carleton East/-Est | L | Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative |
| Morrow, Mark | Wentworth East/-Est | ND | |
| Murdoch, Bill | Grey-Owen Sound | PC | |
| Murdock, Sharon | Sudbury | ND | parliamentary assistant to Minister of Labour / adjointe parlementaire du ministre du Travail |
| Murphy, Tim | St George-St David | L | |
| North, Peter | Elgin | Ind | |
| O'Connor, Larry | Durham-York | ND | parliamentary assistant to Minister of Health / adjoint parlementaire de la ministre de la Santé |
| O'Neil, Hugh | Quinte | L | |
| O'Neill, Yvonne | Ottawa-Rideau | L | |
| Offer, Steven | Mississauga North/-Nord | L | |
| Owens, Hon/L'hon Stephen | Scarborough Centre/-Centre | ND | Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation |
| Perruzza, Anthony | Downsview | ND | parliamentary assistant to Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion |
| Philip, Hon/L'hon Ed | Etobicoke-Rexdale | ND | Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto |
| Phillips, Gerry | Scarborough-Agincourt | L | |
| Pilkey, Hon/L'hon Allan | Oshawa | ND | Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales |
| Poirier, Jean | Prescott and Russell / Prescott et Russell | L | |
| Poole, Dianne | Eglinton | L | Vice-Chair, standing committee on public accounts / Vice-Présidente du Comité permanent des comptes publics |
| Pouliot, Hon/L'hon Gilles | Lake Nipigon / Lac-Nipigon | ND | Minister of Northern Development and Mines, minister responsible for francophone affairs / ministre du Développement du Nord et des Mines, ministre délégué aux Affaires francophones |
| Rae, Hon/L'hon Bob | York South/-Sud | ND | Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales |
| Ramsay, David | Timiskaming | L | |
| Rizzo, Tony | Oakwood | ND | Chair, standing committee on the Ombudsman / Président du Comité permanent de l'ombudsman |
| Runciman, Robert W. | Leeds-Grenville | PC | Progressive Conservative chief whip / whip en chef du Parti progressiste-conservateur |
| Ruprecht, Tony | Parkdale | L | |
| Silipo, Hon/L'hon Tony | Dovercourt | ND | Minister of Community and Social Services / ministre des Services sociaux et communautaires |
| Sola, John | Mississauga East/-Est | Ind | |
| Sorbara, Gregory S. | York Centre/-Centre | L | |
| Sterling, Norman W. | Carleton | PC | |
| Stockwell, Chris | Etobicoke West/-Ouest | PC | |
| Sullivan, Barbara | Halton Centre/-Centre | L | |
| Sutherland, Kimble | Oxford | ND | parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances |
| Swarbrick, Hon/L'hon Anne | Scarborough West/-Ouest | ND | Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs |
| Tilson, David | Dufferin-Peel | PC | |

| Member/Député(e) | Constituency/Circonscription | Party/Parti | Other responsibilities/Autres responsabilités |
|---|--|-------------|--|
| Turnbull, David | York Mills | PC | Progressive Conservative deputy whip / whip adjoint du Parti progressiste-conservateur |
| Villeneuve, Noble | S-D-G & East Grenville / S-D-G et Grenville-Est | PC | Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative |
| Ward, Hon/L'hon Brad | Brantford | ND | Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances |
| Wark-Martyn, Hon/L'hon Shelley | Port Arthur | ND | Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé |
| Warner, Hon/L'hon David | Scarborough-Ellesmere | ND | Speaker / Président |
| Waters, Daniel | Muskoka-Georgian Bay | ND | parliamentary assistant to Minister of Culture, Tourism and Recreation / adjoint parlementaire de la ministre de la Culture, du Tourisme et des Loisirs |
| Wessenger, Paul | Simcoe Centre/-Centre | ND | parliamentary assistant to Minister of Health; Vice-Chair, standing committee on the Legislative Assembly / adjoint parlementaire de la ministre de la Santé, Vice-Président du Comité permanent de l'Assemblée législative |
| White, Drummond | Durham Centre/-Centre | ND | parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales |
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| Winninger, David | London South/-Sud | ND | |
| Wiseman, Jim | Durham West/-Ouest | ND | parliamentary assistant to Chair of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs / adjoint parlementaire du président du Conseil de gestion, Vice-Président du Comité permanent des finances et des affaires économiques |
| Witmer, Elizabeth | Waterloo North/-Nord | PC | |
| Wood, Len | Cochrane North/-Nord | ND | parliamentary assistant to Minister of Natural Resources; Vice-Chair, standing committee on resources development / adjoint parlementaire du ministre des Richesses naturelles, Vice-Président du Comité permanent du développement des ressources |
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No. 166B

N° 166B

ISSN 1180-2987

Legislative Assembly of Ontario

Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Monday 5 December 1994

Journal des débats (Hansard)

Lundi 5 décembre 1994



Speaker
Honourable David Warner

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 5 December 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 5 décembre 1994

Report continued from volume A.

1810

MUNICIPAL AND LIQUOR LICENSING STATUTE LAW AMENDMENT ACT, 1994 LOI DE 1994 MODIFIANT DES LOIS EN CE QUI A TRAIT À LA DÉLIVRANCE DE PERMIS D'ALCOOL ET À LA DÉLIVRANCE D'AUTRES PERMIS PAR LES MUNICIPALITÉS

Mr Philip moved second reading of the following bill:

Bill 198, An Act to amend the Liquor Licence Act, the Municipal Act and the Regional Municipalities Act and certain other statutes related to upper tier municipalities /
Projet de loi 198, Loi modifiant la Loi sur les permis d'alcool, la Loi sur les municipalités, la Loi sur les municipalités régionales et certaines autres lois ayant trait aux municipalités de palier supérieur.

Hon Ed Philip (Minister of Municipal Affairs): I rise to present for second reading Bill 198, our government's legislation to control after-hours clubs and other late-night businesses.

The members will recall that the bill was introduced on November 24. A couple of days later, in the early hours of a Sunday morning, a 22-year-old man was shot in an after-hours establishment here in Metro. Fortunately, his injuries were not life-threatening. With this legislation in place, businesses such as the one in which this young man was injured will be subject to licensing conditions that may prevent these violent acts. As terrible as this incident is, it reinforced the importance of passing this bill and the urgency of doing it as quickly as possible. I therefore greatly appreciate the cooperation of the members who have agreed to deal with this bill promptly.

When it comes to dealing with the illegal sale of alcohol or with the premises that have a special-occasion permit to hold an event and serve alcohol, this bill will make it easier for police to get a warrant when there is reason to suspect that Liquor Licence Act offences are likely to occur. The police will have new powers to vacate the premises and to seize not just the liquor itself but the cash box, the cash and any other equipment used in the commission of the offence.

In the area of municipal licensing, the courts will have new powers to close clubs convicted of breaking municipal licensing bylaws, maximum fines will be substantially increased and the legislation contains the new power to seize a business's equipment in the event of non-payment of a fine imposed for a licensing infraction.

I don't propose to go over all the provisions of the bill again today. However, I would like to take a few minutes to address some of the concerns that have been raised by various people.

First, the concern has been raised that the legislation will give municipalities too much power which could be used to restrict in some way the activities of legitimate and legally operated restaurants, bars, coffee shops or doughnut shops. The new legislation will affect only those individual licensees and applicants who have given licensing authorities good reason to suspect that they lack honesty and integrity and will not operate the business in accordance with the law. Furthermore, the evidence of honesty and integrity must always be relevant to a licence or a business.

Many municipalities are already making licensing decisions on these grounds, and case law has supported their right to do so. This legislation clarifies the municipal powers in this area. Furthermore, these decisions to issue or suspend a licence, to set hours of operation or to impose other conditions would be made on a case-by-case basis so that the problem establishments can be controlled without adversely affecting a majority of other businesses that are operating in a reasonable way; in other words, similar businesses that are not causing any kinds of problems.

To further alleviate concerns about the use of this power, it's important to point out that municipalities cannot make arbitrary decisions under this legislation. They have to have legitimate reasons for imposing conditions or for refusing, restricting, revoking or suspending a licence. Upon the request of the applicant or licensee, a written reason will have to be provided, and that reason will have to be able to stand up in court because the legislation gives businesses the right to appeal licensing decisions to the court, as does most other legislation dealing with similar sorts of situations.

For several months now, we've been hearing concerns about certain businesses that operate late at night. We've read reports about shootings in or near after-hours clubs. It's been known that some late businesses such as certain doughnut shops—only a few, but none the less some—have become hangouts for drug dealers, and people are becoming increasingly concerned about the activities of people going in and out of these businesses in their neighbourhoods.

Last June, my colleague the member for Fort York introduced a private member's bill to give Metropolitan Toronto greater licensing powers over late-night businesses. That bill would have gone a long way towards helping Metro deal with the problems. This fall, though, a young woman was killed outside an after-hours club in London. It was apparent that the problem was not limited to Metro, and in October the Premier promised quick government action.

I appreciate the fact that many people have provided advice to us. We've consulted with the police and with

other enforcement agencies, with community groups that are very concerned about this and with municipalities. This legislation will enable the police, municipal agencies and community groups to work closely together to prevent the present threat to the public and to our communities and our neighbourhoods.

I want to thank all of those groups, the police, the community groups and the municipalities, as well as my own staff, who have worked so hard on bringing about the consensus that I believe we have here and the support they've shown. I urge every member of the House to support the bill.

The Deputy Speaker (Mr Gilles E. Morin): Are there any questions or any comments?

Mr Joseph Cordiano (Lawrence): In the short period of time that I have, which is two minutes, I would just like to comment very briefly in response to the minister's introduction of the proceedings and suggest that obviously I believe the action that is being taken with regard to this legislation is overdue.

With respect to the number of incidents that have occurred regarding after-hours clubs, this is the least we could do, although I have to add that I think much more needs to be done with respect to policing and the serious danger that these types of establishments present, not only to the general public but also to the police. We've heard from the police on matters pertaining to after-hours clubs and other establishments that are open late at night that are dangerous places. The police have also made comment about the fact that their officers are quite concerned about entering such establishments. I think we need to deal with the concerns that are expressed around policing, along with the measures that have been taken in this particular piece of legislation.

These are good measures. They go some way in addressing the concerns. They're good first steps. However, I would say more needs to be done around policing with a view to other efforts that can be made and that should be made. I don't have time to get into that, but I will in further comment that I make about this legislation.

1820

The Deputy Speaker: Any further questions or comments? If not, Minister, you have two minutes.

Hon Mr Philip: I appreciate the comments of the member for Lawrence and his support for the bill. He indicates it is the least that could be done. I believe his colleague was quoted in the newspaper—maybe not accurately—as saying that the proposals, when we announced them, went too far.

I'm pleased that his party has come around to seeing that there is a balance here between the right of legitimate, law-abiding citizens to operate businesses without undue interference and those who in fact are violating the law and creating major problems in our communities. I appreciate the fact that he is supporting the bill and that his party is supporting the bill and I look forward to discussing any concerns he may have in committee tomorrow.

The Deputy Speaker: Are there any other members who wish to participate in the debate?

Mr Tim Murphy (St George-St David): I do appreciate the opportunity to participate in the debate on this initiative. I do want to echo the concerns expressed by my colleague the member for Lawrence about, to a certain extent, the timing related to this initiative. I think it will be of some interest to members and to those watching that it was in fact in 1990 that Metro council approved a report on a variety of issues related to crime and policing in Metropolitan Toronto. It's dated September 20, 1990, a few days after a certain election. It's now four-plus years later and we're finally getting to address some of the, I think, quite worthwhile recommendations contained in this report.

In fact, if I remember correctly, it was a certain Mr Pantalone, a member of the New Democratic Party, who in part worked on this along with, as I see, representatives of the Ministry of the Solicitor General of Ontario and representatives of the Ministry of the Attorney General of Ontario more than four years ago, which is why I have to express some concern about the delay that has been involved in acting on this.

Since that time we've had, unfortunately, a number of incidents involving after-hours clubs and booze cans, as they are known, somewhat colloquially. It's unfortunate that we didn't have the tools earlier than this because it has been historically the case—

Hon Mr Philip: What did you do? What did your government do?

Mr Murphy: I hear the minister heckling. In fact, there was a report done in 1987 which was basically acted upon. It didn't deal with this issue. A follow-up report was sitting on the shelf for four years before this government chose to act on just a small bit of it. I notice there are parts of this that are still not acted upon, more than four years later.

In fact, it's indicative of this government's response of government by panic. It is at the last minute, only when the furore is too difficult for it to take, that it acts. It acts in a way that is rushed, that does not give people sufficient time to respond to the concerns in a detailed way. It is rushing through committee tomorrow.

We said we support the intent of this bill. It was our request that committee hearings happen to give at least some opportunity for comment from a variety of organizations—the restaurant association, the chamber of commerce and others—depending on who we will see. But it is unfortunately somewhat typical that it's at the last moment that these things happen. This has happened time and time again in terms of the initiatives that have been brought forward by the government, and it's unfortunate we're having to deal with that kind of initiative by this government again.

This deals with merely one aspect of what is a broad and unfortunate problem, not just in our urban centres but certainly strongly in urban centres, and that is the tie between drugs and violent crime in urban settings. I know the member for Fort York has an interest in this issue; we share a common boundary. I've heard it certainly from the members for Eglinton and Parkdale, from many members who represent city ridings, from members who represent Scarborough and other areas, that

we are seeing an escalation of violent crime, and it is unfortunate.

It's not just related exclusively to booze cans or after-hours clubs, although that's certainly part of the problem. We are seeing an increase in the sale and use of drugs, especially crack cocaine, which I've seen referred to in the courts as the cancer of modern society. What we are seeing is a relationship between the opportunity to sell and purchase and use those drugs in these late-night clubs. There are two components to the clubs, and one of them is those that operate illegally, the booze cans, which do not have a licence, do not have approval to operate at those late hours.

Effective enforcement by police officers of the existing laws could and should assist in resolving those difficulties. The problem we have is the question of the allocation of resources to police officials in, for example, Metropolitan Toronto. The Solicitor General will know that in Metropolitan Toronto alone the police force is down by just under 800 officers from its full complement. We are adding to the burden of enforcement through this legislation, probably not inappropriately, but again we are not giving the police forces sufficient resources to handle the job well.

I think, for example, of my area, which includes Regent Park and the communities around it like Cabbagetown, SOBRA, Corktown and St James Town and other areas, where there is a real concern about the rising incidence of crime. We have attempted to try and get the police services board, which has a majority of appointees from the provincial government, to listen to what the community has to say, and that is fairly simple: that they need police officers on the ground.

This past summer, as a result of a deputation by groups from the riding, myself and others to the police services board, we managed to get an additional allocation of officers to the riding and to that part, to 51 division in particular, to assist with the very real and pressing problems with drugs in the community. The interesting thing was that it helped. When you had police officers that the community could see, that the dealers could see, that the criminals could see, the crime went down.

What we are talking about is an allocation of sufficient resources to police to make sure they do the job. When you think about after-hours clubs, part of it, sure, is the question of adequate authority and search powers and seizure powers to them in order to do the job well, and some of that's in this bill. In fact, I don't think anyone has made a derogatory comment about that aspect of the bill, but I'd be interested in hearing from some people tomorrow on that. I think one is the least controversial in terms of the amendments to the act, but I'd be interested to see what some of the groups tomorrow have to say.

It is a question of resources, of focusing on the real problem. In a way, the problem with after-hours clubs and the violence and use of drugs associated with after-hours clubs is really a symptom as opposed to a cause of the real problem. The real problem starts with drugs and the rampant use of drugs and the violence associated with it. After-hours clubs really only become a location, an opportunity for that kind of activity to take place.

In a sense, by focusing on after-hours clubs with a legislative hammer as we are, we may be able to fix one of the symptoms, but I have every expectation that it will pop up somewhere else and that we are not getting at the cause; we are not focusing on the issue of the use of guns and other weapons in violent contexts, especially as associated with drugs.

1830

I do want to say that this does arise out of a series of incidents that are very unfortunate, like the circumstance outside Tae's in the riding of the member for Lawrence, and there was a circumstance in London, previous circumstances in the city of Toronto—and I suspect elsewhere that go unreported—where what has happened is that certain clubs have attracted people for a variety of reasons. I think part of it obviously relates to an opportunity to continue to have a party, or whatever the colloquial term is, after the regular closing hours of bars, which is 1 o'clock.

I think it's important to look at the issue of whether the opening of those places later might be a way to help with that problem, to give another location where people can spend that time peaceably. I'm not sure that will be a solution to the problem; only if it does get attached to a sufficient policing of those institutions will it help.

For example, the report of the advisory committee on liquor regulation in 1987 in fact referred to that issue. We are in the process of debating that within our caucus at this very time. I am personally supportive of that, and I think people in my community would be supportive of it. We will have to see what the result of the caucus deliberations are, but that's my view and it is one I'm willing to defend in my community, in my riding. Obviously, we have to ensure that the interests of the neighbours of those places are dealt with appropriately, but I think the appropriate procedures are in place under the Liquor Licence Act and municipal bylaw processes so we can effectively police that.

The key thing that I want to make sure gets adequately dealt with in this piece of legislation is that it in fact gets at the bad guys without unduly penalizing, or in fact penalizing at all, the good guys: the people who behave properly, the people who are law-abiding, the people who carry on business in full compliance with the law, in compliance with community standards, who are good community citizens. I have, for example, in my riding Parliament Street, Church, Wellesley, part of the Yorkville Business Association and where the Old Cabbagetown Business Improvement Area, the Church-Wellesley businesses, the Yorkville businesses, businesses at Yonge and St Clair and others are attempting to work with the community to solve community problems.

We, for example, in the Cabbagetown area and Parliament Street have a problem with the sale of rice wine, which is supposed to be undrinkable but is nonetheless purchased by people for consumption; they end up littering the area with rice wine bottles. We have people who have passed out and we inevitably end up spending a lot of money phoning for emergency vehicles, and we get the fire and the police and ambulance responding to the calls about people who've become unconscious because

of rice wine. It would strike me as sensible to have the liquor control board put that, like bitters were, into the liquor stores as opposed to being able to sell at the corner store.

But the point is that the community was working together. The businesses in the area were working with the community to attempt to reduce the sale of that, and it's now down to one store, basically, because the businesses responded by working with the community. That is fully to be commended on behalf of those businesses. The point is that businesses by and large, the small businesses, the corner stores, try and work with the community.

Now, there are others. I've received complaints, as I'm sure other members who represent urban ridings have, of phones located outside late-night doughnut shops where the use of the phone, most suspect, is for quite nefarious purposes, and I suspect their suspicions are correct. There are a few locations in the riding. In those circumstances, some of it might be more appropriately putting pressure on Bell as opposed to putting pressure on the local business, but the local businesses do need to be aware of that community concern. I think some of what's in the bill will be helpful in that way.

One of the concerns I do have, and I would like to hear what the responsible minister has to say, is the issue of the application of the "honesty and integrity" clause, because for me there are certain businesses in which the interpretation of that clause by a municipal council or a licensing commissioner or police services board may be inappropriate in certain circumstances.

I think we have to give those people who wish to operate legitimate businesses in our communities the opportunity to do so without suspicion that they will not operate them in a legitimate way and with integrity; that it's only when there has been some failure to comply with law applicable to their businesses that those kinds of criteria apply. In other words, we don't operate on the assumption that everyone is bad, we operate on the assumption they're good until proven otherwise, and then we provide the scope for judging those businesses on the scale, for example, of honesty and integrity.

I know it's currently applied, for example, in the Liquor Licence Act and I think the Employment Agencies Act and a few other areas. By and large, the application of those has worked out, although I'm sure members have seen, as I have, where sometimes the application of those has resulted in court cases that have gone against the people attempting to apply the standards for purposes other than those which they were intended for.

I am concerned about that happening in the first instance with businesses across the province, because there is a fair amount of authority being given to municipalities here. I heard the minister talk about the issue of municipalities being allocated too much power, and I'm not sure, frankly, on the face of it, that I was comforted by his response, in part because his response was a response shaped to the politics of the House. Actually, I'd rather hear from the people who know within his ministry and be given an opportunity to question them, be it the policy people, the lawyers, whoever, on the basis of

response from organizations that have to live with those rules. Whether we have enough time tomorrow I'm not sure, but I would like to have that opportunity and I'm hoping those groups that will be affected will come forward and say, "Here are the problems we have," and we can put those concerns directly to ministry staff and others tomorrow.

I do also have a concern about what this bill does, for example, in the hours of operation of certain businesses. It repeals certain provisions in section 109 of the Municipal Act and then adds a new section. My question is whether the powers provided in the new section, section 109.1, give municipalities the power to change the hours of operation. There is some dispute, on the face of it, about whether that's the case, but I think the wording of section 109.1 is pretty broad. It basically says municipalities have the power to impose conditions on licences without any real restrictive wording on it: "a council or police services board may...impose conditions on a business licence at the time it is granted or at any time during its term." There is really no restriction on that other than the purpose for which it is to be done, which is dealt with in subsection (5), in which we get to the "honesty and integrity" provisions.

My question, which I hope will be answered, is whether those conditions could include, for example, hours-of-operation conditions, which could then, especially in smaller municipalities, change the hours of operation of businesses to subvert the purpose otherwise of the Municipal Act. Even, on the face of it, if that's not its intent, it could be its effect. As we all know, the process of determining that result will take a long time in courts and reward only lawyers, which is not always the best public policy.

Mr Charles Harnick (Willowdale): I beg to differ.

Mr Murphy: Even the member for Willowdale agrees, who is of course still a practising lawyer, a very successful one and a skilled one, I hear. He can put that in his brochure if he wants.

I also want to know from the government, in terms of response to the Report of the Joint Staff Team for Legislation/Enforcement Co-ordination, why some of the provisions in here were not included. I do know there were some recommendations relating to found-ins at after-hours clubs in terms of police authority. I'd be interested in the response of either the Solicitor General or the Minister of Municipal Affairs to that.

For example, the recommendation was that the Liquor Licence Act be amended to provide for a specific offence for being a found-in in an unlicensed after-hours club, with a minimum fine for that. That's not in here. The question I have is, why not? As the member for Lawrence said, there's a degree to which this bill only does half of what's needed or a part of what's needed, and I'd be interested in what the response is to that specific provision.

1840

There are other things which could be dealt with in terms of policing drugs in an urban setting; for example, whether any consideration is given to licence suspensions

for drug convictions. That's been raised by the member for Parkdale as a possible solution in some circumstances. I know that's been tried in a number of US jurisdictions—somewhere around 20 is my recollection—with some success, in any event, as a method for policing those who traffic in drugs.

In my particular area there is also a problem involved with the use of taxis for the purpose of the sale and purchase of drugs. People who come from elsewhere by way of taxi come to parts of the riding where drugs are sold and then leave by taxi. I've met with members of the taxi industry and the licensing commission. I've had some indication of cooperation from the taxis but, frankly, I have to say none from the Metro Licensing Commission and no indication of urgency or assistance from the government in this regard. I hope they would look on that as an avenue to pursue in terms of policing drugs and violent crime in our urban setting.

I do want to talk briefly as well about special-occasion permits. The tightening up of those provisions are something we have both supported and called for and I think are provisions we can support in terms of restricting or limiting or more effectively policing the issuance of special-occasion permits. For example, there have been those we would call hatemongers who have been able to get special-occasion permits, sometimes through deception, either intentional or not, but who have been able to get them and therefore have the kinds of events that I think every one of us in this House would say were inappropriate and that we would like to stop. To the degree to which the provisions of the special-occasion permits can help us more effectively police that, that's a helpful thing to do.

A couple of provisions are worthwhile looking at, in any event, in terms of special-occasion permits. I think some kind of waiting period of a sufficient minimum time before the issuing of a special-occasion permit should be a provision we should look at tomorrow in committee, and I hope the government will look on that with some favour.

As well, there is some concern about where a special-occasion permit may be obtained in terms of whether it's close to or in the municipality where the event is to be held. I actually think that if it's in the place close to the municipality, that's probably sufficient, at least if it has some sense of the event in the community involved.

There are provisions in the Municipal Act about which there is some concern. I have addressed some of them and I'd be interested in the reaction tomorrow. I realize this is a reading in principle, but since we're doing this in such a compacted form I thought I'd give some of the detail now so we have an opportunity to be able to address it tomorrow.

For example, in section 109.1(2)(d), which I refer to in terms of how great an authority it does give to municipalities to police it, there is a suggestion that the phrase "at the time it is granted" be removed. I think what it's trying to get at is the notion that some misbehaviour by a business be shown before these new powers that are given to a municipality by this bill be able to be exercised. But the intention is that, as I said, some misbehav-

iour be shown. I'm not sure taking out those words does it, but I think something that would say, "The municipality can impose conditions at any time during its term or at a renewal or at the beginning if the proprietor or the company operating the business"—if you can see through the company to the proprietor—"has committed some kind of breach of a bylaw or statute first," would be the kind of thing we could look at supporting.

I think it's also important to note, for example, in subsection 2(7), related to the hearing, related to the restrictions to be applied on a licence, all it says is, "A council or police services board shall not exercise its powers...except after giving the applicant or licensee an opportunity to be heard."

I would assume that the Statutory Powers Procedure Act applies to this legislation, but none the less, I think it's important to give some indication in the statute of the kind of notice required so it is clear to businesses and municipalities, or police services boards in some cases, the kind of hearing process and the length of time that's needed, so that everyone knows the rules up front rather than guessing or having to go through a court process. I think certainly in this kind of procedural mechanism for a hearing is better early on, because otherwise you'll end up spending, again, a lot of lawyers' fees fighting about the process as opposed to the substance, which I think is unfortunate.

So I would look at some kind of minimum notice before the holding of such a meeting, and 14 days is one suggestion, I think the point being that you need sufficient time to prepare. Whether it's 14, 21 or 10 days—people can differ—I think some reasonable time is sufficient.

I think too the decision that comes from the hearing, from the municipal council or the police services board, should be, when requested, given in writing within a period of time after the decision is taken, because essentially I would expect in a number of cases the business may not be operating while it's waiting for the decision. So imposing some term on when that decision should be issued so there's a certainty and an appeal process can be undertaken or whatever's appropriate I think would be a good suggestion and something that we should look at.

There may also be scope for a clause in the law that says if a condition is imposed, then upon the imposition of that condition the business fulfils the requirements of that condition for some period of time, whatever that may be, some number of years perhaps; in other words, if good behaviour is shown by a business after a period of time, they should be allowed perhaps to get rid of the condition on their operation.

Those are some of the particulars that I think are worthwhile looking at, and I did want to talk briefly, if I could, about a couple of other specific issues while I have the opportunity. As I mentioned earlier, my concern was that this is again a circumstance where we have government by panic, where there is a series of events that cause the government to act after it's raised in the House by the opposition and the concerns are raised by the media, where the government finally is awakened from its slumbering sleep and says, "Oh, my gosh, we'd

better act," and acts at the last moment. We've seen it in a number of other situations.

Interjections.

Mr Murphy: I hear a cackling from the government benches. It always happens when the truth hits home that we hear them heckling from the other side. It almost makes no sense that sometimes you can get this government acting very quickly, barging ahead on issues only when the pressure builds from the public side and at other times it digs in its heels despite the public pressure. I think of Bill 173, the long-term-care reform, where all I get are letters from community groups in my riding and elsewhere who have real concerns with the impact of the bill.

1850

I just got a letter today from the Red Cross in my riding. They just cannot understand how the government can proceed jamming this through at the last moment. We have it today with the WCB bill when it goes to committee. It was interesting. I was in the justice committee, and we had injured workers in there who were actually prepared to trade the Ontarians with Disabilities Act for getting rid of Bill 165 if the government would proceed with the Ontarians with Disabilities Act.

I mean, it's a government that seems to proceed despite what the people in the community are saying. Then sometimes it waits and waits and waits and panics and reacts at the last moment, and it almost always, when it does that, gets something wrong. It's inevitable, frankly. It's not just this government, anybody when it does that. When it waits until the last moment to react, it's going to get some of it wrong because it doesn't give the due consideration that it needs. It doesn't give the consultation that it needs. It doesn't give time for people to react, to assess the impact of a bill in all of the myriad situations that are going to be faced in this province. The time is not given, and it's unfortunate.

Now, it would be interesting to see what the impact of this bill is over time. I expect that unless we see greater police resources allocated to police forces in those areas where they're going to have to enforce this provision, one of two things will happen: We're going to have an empty shell of a bill because either the police will be using their resources elsewhere or they will decide to police these and something else will fall by the wayside.

The only way they're going to be able to effectively use this bill as a tool for policing is to give them the resources to do the job. I hear that complaint on a daily basis. The 51, 52 and 53 divisions of the Metropolitan Toronto Police Force cover my riding, and it's interesting, because actually the police and community work together. The police and community say the same things to me. They want police out in the street, out of their cars, in the communities, where they can be seen and where the community can see them.

I think that's the way to go. That's the way you're going to reduce all sorts of tensions between the police and the community, because the police will get to know the community and the community will get to know the police. Those barriers start to break down.

We've seen that in some small way in 51 division, for example, where we are starting to set up a process of informal connections between members of the Caribbean community and the police force in the area. That's starting to have some effect, but it only really works if you start getting police in the communities and on the streets so the people get to know them.

But we haven't seen a commitment from the government to that kind of effective policing, and I've got to say that if the government were prepared to take those kinds of initiatives, to put police in the streets in the community, you would see a decrease in some of the explosions of violence that are associated, for example, with after-hours clubs decrease by that very fact alone, because you would have effective policing.

You've also got to have effective deterrence. In my riding, I've worked on a program which has now been imitated by the member for York Mills and others, where we're getting members of the community to come in and give evidence at sentencing hearings of drug dealers, and we've started to see the sentences go up for dealers. Where before it would be measured in months, now they're measured in years for people who are dealing in drugs of a most awful, serious kind, who cause pain and agony, addiction. We see it on the streets, people who are essentially too stoned to take care of even themselves.

These are the kinds of initiatives in getting the police, the justice system and the community tied together that frankly this government hasn't taken, hasn't focused on. In fact, the justice system broadly, I would say, has been neglected by this government; it has been its lowest priority, its least interest, and it is the thing that has suffered the most through this government. It is as if the rest of the government's agenda mattered to it except this one and it was pushed to action only when the pressure got too great to withstand.

We've seen that in a series of initiatives, where it has been a Band-Aid here, a Band-Aid there but no sense of what the true overall objectives of the justice system need be, how you can work to use the justice system to effectively keep our communities safe, because that's ultimately what matters.

It matters in my riding. It's what I get every day. I would say that housing, welfare and safety are the three things I get most in my office. People are concerned about their safety; people are afraid to walk the streets at night; people are afraid to come out of their apartments, go in the stairwells, walk in their neighbourhoods. It's a sad comment that this is what is the daily experience of so many people who live in downtown Toronto. I don't think we should kid ourselves or be fooled by the rhetoric that a bill of this nature is going to fix that.

When you think about it, the after-hours clubs are a real problem, but in totality, the number of incidents of violence involving the dealing of drugs on a daily basis in our streets far outnumbers the unfortunate incidents at after-hours clubs. It's true that this doesn't mean we shouldn't focus on that problem, but it is in a sense, in fact it is, focusing on the symptom and not the cause. This is a cure only for a small, small part of the real problem, which is widespread.

Interestingly enough, I know there was a great internal kerfuffle in the government related to what was called the riot on Yonge Street of a few years ago in a reaction to that. Yet when I look at what's happened, for example, in the riding I represent in terms of a response to that in areas where young people have to make a real, unfortunate choice when they don't have any jobs, the only place to make money is in dealing drugs. They make \$1,200 or \$1,500 a night in dealing drugs, and yet the employment opportunities for those people in my part of Ontario, the riding I represent, aren't there.

People are forced to make the unfortunate choice, and despite what was an internal difficulty that the government ran into in responding to that riot, it hasn't really noticed the urgency of dealing with the unemployment problem in some of the downtown areas. The general rule, for example, if you spend three years on welfare, statistics show that you will be on welfare for the rest of your life, and that's an unfortunate thing.

We are seeing that people who have gone on welfare in 1990 and 1991 are now approaching that three-year mark and have not had the prospect of a job in the entire time. I've seen people I've known for many years who held midlevel posts in businesses in the city who lost their jobs and have been unable to find employment. There's no sense of urgency in responding to that.

We have empty stores on Parliament Street, Queen Street and some of the other streets in the riding. In part, the reason has been the increase in the taxes that these people have had to bear, and yet, if they were open, they could be providing employment in the community, giving people an option. The WCB rates are too high, the taxes on those businesses are too high, the paperwork they have to do is too high—everything that works against incentives for starting a business.

In fact, we should be helping people start businesses on these streets, no matter what kind of businesses they are. So we've got to make sure that what we have in this bill does not detract from those who would choose to open businesses in those communities, because really in some ways the best crime-fighting measure we can take is to give people in downtown urban cores jobs, an opportunity to get off welfare, other choices than the easy and unfortunate one of being involved in the drug trade.

That's not to forgive or excuse those people who get involved in the drug trade when there is the absence of another option. But that is just to recognize the cold and unfortunate reality of life as an unemployed person in downtown Toronto. When the options seem non-existent, when the difficulties seem insurmountable, sometimes the choice of being involved in the drug trade becomes, or at least is perceived to be, the only out.

We have got to give these people hope, because hope is the only thing they can hang on to as an opportunity and as a way around that problem. To make sure we give these people hope, we have to pay attention to these other issues. We've got to make sure that taxes for businesses go down, that the paperwork for businesses goes down, that we work to encourage businesses to set up and not, by acting quickly, by acting hastily at the last moment, impose a burden we don't intend to impose on busi-

nesses. So I want to hear some of that as well in the one day that we have in committee.

I know some of my colleagues want to speak on this issue and so I will yield the floor, saying only this: While we support the bill in principle, it is important for us to hear what affected parties have to say. We're looking forward to that, and I hope the government too will listen so we can make changes that make this bill work and so it focuses on penalizing the bad guy and does not hinder the law-abiding, peaceful businessmen or businesswomen who are fundamental to our long-term economic success.

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The Acting Speaker (Mr Noble Villeneuve): Thank you very much. Questions or comments? The Attorney General—Solicitor General.

Hon David Christopherson (Solicitor General and Minister of Correctional Services): I've got enough problems, Mr Speaker, thank you. I appreciate the opportunity to comment on the remarks of the member for St George-St David. Again, by and large, the member offers up a constructive contribution to developing legislation that is important to all members in this House and to all the citizens of Ontario. I certainly, at a personal level, appreciate that approach to important matters like public safety and I'm sure all members of the House do.

I do want to, having said that, comment on a couple of aspects of his remarks that I think need to be responded to. The first is that this very bill is building on the bill that was introduced by the member for Fort York, one of our own members, the parliamentary assistant to the Premier. That was before the Leader of the Opposition stood in her place and raised this issue; so suggestions that we weren't there are inaccurate. We were there. The honourable member was working towards this goal, we've been able to build on that and, through unanimous consent, going through this process, we'll be able to introduce and pass into law these measures that will indeed take great strides in our ability and the ability of the police and others to respond to issues of after-hours clubs and other related problems.

I would also point out, on that particular point, and I've said this before during question period: Look at the record. While we have been responding to the issue of crime, as it needs to be responded to, through measures of this government—and, to their credit, the Tories have been raising this all along—the Liberals were nowhere to be seen on this issue until recently, when it was headlines. Before that, you never heard from them. Check the record. It's there to be seen.

The last thing I'll say, in terms of how far this has gone for the police, is that I met with the police chiefs personally on this issue to receive their input. They are very pleased with the measures we're taking and feel that we've gone a long way to addressing the issues that are before us. Allow me to close, though, by again acknowledging and thanking the member for his positive contribution, although we may disagree on certain aspects along the way.

Mr Pat Hayes (Essex-Kent): I just thought, after the member's remarks over there, that he'd be interested to

know I have a letter here from AMO; as a matter of fact, it's addressed to the minister. It says:

"On behalf of the Association of Municipalities of Ontario (AMO) I would like to express our support for Bill 198, Municipal and Liquor Licensing Statute Law Amendment Act.

"The Municipal Act does not give municipalities adequate powers to deal with the number of recent incidents involving after-hours establishments and their negative impacts on communities. AMO is pleased your government has taken a comprehensive approach to this issue by providing municipalities across the province with the authority to...deal with these issues.

"We understand the second component of your approach to after-hours establishments is a series of other initiatives which will encourage coordination and cooperation among municipalities, the police and community groups. Municipalities are certainly receptive to working with other sectors to address these problems. Accordingly, AMO would be pleased to participate in any further consultations with you regarding how to facilitate more cooperation and coordination.

"We look forward to further discussions with you on this important issue."

Signed by Bill Nicholl, the president of AMO.

I think that should really send the message to the opposition on what this government is doing in putting together a good, comprehensive package to deal with this very serious issue.

The Acting Speaker: I thank the member for Essex-Kent. Further questions or comments?

Mr Ron Eddy (Brant-Haldimand): This is a matter that of course has concerned municipalities for a great many years. In fact, I would say it's a couple of decades that we've had the problem. So I don't think anyone needs to say we're reacting to public demand in a timely manner. It just isn't so.

I'm pleased that the member for St George-St David, has spoken to this matter and enlightened us as to what it will do, its shortcomings and many of the factors concerning the problem that faces us, because it's a very serious problem, and there have been municipalities pushing for this and asking for legislation for a great number of years. So let's get on with it. It's very important.

I'm pleased to know that a private member—even though it's a government member; great—pushed his party, his government into doing something and that's what's happened. I think we have to acknowledge that, that a member did come forward with the proposal and a bill to—I can't remember the riding.

Mr Rosario Marchese (Fort York): Fort York.

Mr Eddy: Oh, Fort York. Thank you very much for reminding me of that. It's awfully important and it's something that members must do on occasion in order to get good measures passed in this House, and I'm so pleased it has finally happened.

I would say we've all been remiss and lax in not coming forward, and I think it's great when any member, including the Leader of the Opposition, jumps on an issue

and draws it to our attention and says, "Something must be done, something is going to be done and let's get on with it."

It's, as I say, very important. I'm pleased AMO has decided that it's on side on this issue. They're pushed by the large urban municipalities where many of these are, but it's right across Ontario.

The Acting Speaker: We can accommodate one final participant.

Mr George Mammoliti (Yorkview): It's not only AMO that's on side with this, but I can tell you that a number of officers on the beat in Yorkview are on side with this. The superintendent of 31 division in my riding is on side with this. The residents in not only my riding but in most people's ridings are on side with this. Even some of the nightclubs and after-hours clubs themselves—

Mr Marchese: The legitimate ones.

Mr Mammoliti: —the legitimate ones, are on side with this. Even the bars that you see open on a regular basis, the well-managed establishments, are on side with this. There isn't a politician around or a civilian or a member of Ontario's population who is not on side with this, and if there is, I would plead with those people to please write to my office and let me know who you are, because I'd like to know who isn't on side with this.

This is a piece of legislation that has been acted on relatively quick, and I can only hope that other pieces of legislation can be acted upon as quickly as this one.

I want to thank the member for Fort York for bringing this to everybody's attention. It is the member's bill. There are some changes to it. I'm glad the minister has taken it on, but I want to thank the member for Fort York for letting us know how to deal with it, because it's with his leadership that we've done this.

The Acting Speaker: This completes questions or comments. The honourable member for St George-St David has two minutes in response.

Mr Murphy: I'd like to thank the members for Yorkview, Brant-Haldimand and Essex-Kent and the Solicitor General for their comments. I think the member for Fort York does deserve credit for his role as a private member. There are other private members' bills which, for example, I've introduced in the area of the justice portfolio which I wish the government would proceed on and allow, but it's amazing how a government member introduces it and it gets some action, and you're in opposition and it doesn't.

We have reform for the parole board that we'd like to bring forward. I have reform for the MTHA, the Landlord and Tenant Act, to assist in evicting drug dealers. My friend the member from Mississauga has reforms to the Mental Health Act which we could bring forth. These are all within the justice portfolio that we have been on for ages.

1910

So when the Solicitor General says, "Look at the record," I'm proud to look at the record because we've been calling for these changes for years and years. We've been on these issues. In fact, I look at the record in my

riding. For example, in the last four years, crime has gone up while this government's been in power. The resources the police have to fight crime have gone down. That's the record. If you want to judge the record, let's judge effectiveness, let's judge who is doing a better job on the streets, in the ridings and in downtown Toronto. That's the only record that's effective in the criminal justice system: whether it's making the community safer. If you talk to people who live in Metropolitan Toronto, they don't feel safer. They say, when they look at the record, that it isn't effective, that it's not working, that a good job is not being done by this government.

I'm generally prepared to be non-partisan with the Solicitor General but he is falling from his usual course of not quite being so partisan, and it's unfortunate, because when he sways into partisanship he steers into a course where his facts are less credible and his arguments carry little or no weight.

The Acting Speaker: Further debate on second reading of Bill 198.

Mr Harnick: I listened with interest to the speech from the member for St George-St David and also to the discussion that he's just engaged in with the Solicitor General and I'd like to offer my remarks in that regard.

That the Solicitor General, in responding to the member for St George-St David, was very astute in that he recognized it is the Ontario Progressive Conservative Party that has stood for law and order, that has fought on these issues relentlessly for the last four and a half years to ensure we had streets that were safe, neighbourhoods that were good to live in and police departments that had resources to deal with the problems on our streets.

Interjection: And he said so in a very non-partisan way.

Mr Harnick: And he said so in a very non-partisan way.

I appreciate that because it's one thing to stand on a law-and-order agenda and to carry that agenda for four and a half years and it's another thing to look for an issue and overnight to become a law-and-order party. That certainly has not been the way in this party, it has been the way in the Liberal Party, and I appreciate that the Solicitor General has made those kind and very astute remarks, recognizing the consistency of our ways. So I do appreciate that.

The bill we're speaking about is Bill 198, An Act to amend the Liquor Licence Act, the Municipal Act and the Regional Municipalities Act and certain other statutes related to upper-tier municipalities. The whole purpose behind this bill is to regulate, or attempt to regulate, an illegal activity. That is really what this is about, and I'm afraid to say to the government, "You cannot regulate that which is illegal."

If it's illegal, if it is contrary to the Criminal Code, if it is contrary municipal bylaws, if it is contrary to provincial acts, then you can't regulate it. You can't regulate an establishment that sells liquor without a licence; it is breaking the law. You can't regulate an establishment that sells liquor without a licence after hours because that, too, is breaking the law. You can't go

ahead and regulate what exists only for an illegal purpose.

After-hours clubs, as they've been known in the municipality of Metropolitan Toronto, take several forms. There are legal after-hours clubs which, if they do have a liquor licence, stop serving liquor at 1 o'clock in the morning and then continue to serve fruit juices and offer dancing and music until 3 or 4 o'clock in the morning.

I had the pleasure of appearing on a panel with a gentleman who runs just such an establishment. It was very interesting, in discussing it with him, when he explained to me that you can't get into his establishment without going through a metal detector, that at 1 o'clock in the morning no more liquor is dispensed, everything is done by computer, there are chits and invoices for every single drink that comes out of that establishment and, after 1 o'clock in the morning, it is only fruit juice.

That is one form of after-hours club. That is an after-hours club that is regulated by the Liquor Licence Act already, and it has an operator who respects the law and doesn't try and bend the law.

There are other kinds of after-hours clubs, and there are kinds of after-hours clubs that the mayor of North York has been heard to describe as "only existing for one purpose, and that's for people to go and shoot one another. They go there to kill each other." That's what the mayor said, and in fact he is quite right. That's what happens at other kinds of after-hours clubs, and those are the kinds of after-hours clubs that we are attempting to deal with by legislation.

Those after-hours clubs only exist for an illegal purpose. They exist in a manner that might be in one location one week and in a different location a week later. They exist to open late in the evening, early in the morning. They exist to sell liquor in an unlicensed place after hours. They exist in a milieu where people come to spend large amounts of money to buy drinks. Other things of an illegal nature go on there, drug deals and that kind of experience. That is in fact the kind of after-hours club that we, and I believe the government in this particular instance, are trying to deal with.

There is only one way to deal with that kind of establishment. They are there only for an illegal purpose; they must be closed up. The only way you can deal with that is by providing the resources to police so they can enforce the law. There is nothing wrong with the law as it exists now in so far as those establishments are concerned; the problem we have is that we don't give the police the necessary resources to deal with that problem.

I have heard it said, and I don't know how totally accurate this is, but it's pretty close, there are a minimal number of police officers out on the roads between 2 am and 6 am in Metropolitan Toronto on any given night. I don't want to be inaccurate so I don't want to throw out a number, but a minuscule number of police officers who are out on the road.

If that's the case, how are we going to close up these establishments if we find they're operating? You can't, because the resources and the officers are not out there to do the job, because we haven't permitted them, under the

enforcement capacity that municipalities and provincial governments have, to have the resources necessary to deal with that problem.

Therefore, we have after-hours clubs existing in a neighbourhood one weekend and going to another neighbourhood another weekend, where the operators get rich by selling liquor after hours in an unlicensed place at high prices and they make lots of money doing it, then they close the doors and find a new location a week later.

I am in a position to say, and I will bet that I will be right, that this act will not regulate or close down or affect in any way, shape or form after-hours clubs that are operating illegally to start with. This act will not accomplish that purpose.

What this act will do, in many respects, is to control legal operations where the law is being broken. By that, I mean places that already have a liquor licence, places that already run a legitimate business, but where an illegal activity happens to be taking place, oftentimes after hours. That is what this bill will do, and quite frankly, I am supportive of this bill. I'm supportive of that aspect of it.

1920

Interjection.

Mr Harnick: But the Solicitor General tells me I am wrong. What I want to know is, if the Solicitor General can tell me, as he shouts across the floor, where in this act he will have any recourse to dealing with establishments that only exist for an illegal purpose. I will bet that the Solicitor General in all his wisdom—and I told you about his couple of minutes of wisdom earlier this evening—will not be able to point out to me where those sections lie.

Nevertheless, I do wish to deal with this bill in some detail. I find parts of it curious. I find parts of it not all that understandable, or I can't conceive how in many cases it's going to be workable.

But at any rate it's important to note that many of the issues surrounding enhanced enforcement of liquor legislation don't require legislative changes. They should have been acted upon long ago, and they were identified by the Liberals as far back as 1987 in their Report of the Advisory Committee on Liquor Regulation, and that is an interesting report because I believe the former Solicitor General, Mr Offer, was the chairperson of the Advisory Committee on Liquor Regulation.

In that committee the former Liberal government recognized a number of the problems that are now faced by the NDP government in the area of after-hours drinking in licensed establishments, and that was as far back as 1987. Perhaps if the former Liberal government had not only done the study but acted on it, this problem of people going to after-hours clubs and killing one another wouldn't exist today. We would have had a handle on this and it wouldn't have escalated to the extent that it now has escalated to, and the present Solicitor General wouldn't have to be worrying about where he's going to get the police officers to do the job and stop people killing one another at after-hours drinking establishments.

But the Liberal government did the right thing; they had a study. Then they did the wrong thing; they did nothing. Then when people started killing one another at after-hours clubs, the leader of the Liberal Party jumped up in question period, like she'd just discovered the wheel. She decided she was going to stick it to this government and she was going to embarrass them and make them deal with the problem. In reality, it was her government—and she sat in the cabinet, for goodness' sake, from 1987 onwards—that did nothing about a problem that was obvious; they had studied it, they had made recommendations on it and then did nothing. Then what did we see? We saw the histrionics of a leader during question period trying to make political hay in an area that her government of which she was a member completely ignored. There are those who would call that hypocritical, Mr Speaker, but I don't know if you would deem that to be parliamentary language, so I won't dwell any further on that.

At any rate, Bill 198 is intended to address the issue of illegal after-hours clubs and legal clubs in which legal activities are occurring. Instead, it has its focus on legally run businesses, and this will have far broader ramifications. What I fear about this legislation is that it might hurt good guys and continue to ignore the bad guys. The continuing problem of illegal after-hours clubs is one of enforcement, as I see it. The legislation that we now have, before we even pass this bill, hasn't been properly or adequately enforced.

If we're going to pass this piece of legislation, which I don't think is going to stamp out the bad guys—it'll further regulate many who are good guys, but I don't think it's going to get rid of the bad guys in this business—at least I hope the government, now that they've committed themselves to legislation, will commit themselves to enforce this legislation and the existing legislation that we already have, because that is the only way we are really going to be able to deal with this problem.

I fear when I look at this bill that there will be some real problems when we deal with what is section 2 of the act, the sections that deal with the honesty and integrity aspects of the amendments. What happens, in effect, is that the act reads, and these are amendments to the Municipal Act:

“(2) Subject to the Theatres Act, a council or police services board may,

“(a) grant a business licence to an applicant;

“(b) refuse to grant a business licence to an applicant;

“(c) temporarily suspend or revoke a business licence at any time during its term; or

“(d) impose conditions on a business licence at the time it is granted or at any time during its term.”

That will now become the power of the licensing body. Then it goes on to say:

“(5) The exercise of a power under subsection (2)” — those powers that I just read — “is in the discretion of the council or police services board and, without limiting such discretion, the council or police services board may exercise its powers under clause (2)(b), (c) or (d) if,” and this is the key,

“(a) the conduct of the applicant or licensee affords reasonable grounds for belief that the applicant or licensee will not carry on the trade, calling, business or occupation in accordance with the law or with honesty and integrity.”

If you look at that section, it's almost an impossibility to think that someone puts in an application and they say, “I would like to operate a doughnut shop.” Well, they put their application in; effectively they want a licence from the municipality to operate the doughnut shop. How from the very face of the licence can one make a determination dealing with whether you're going to carry on your business according to the law or with honesty and integrity? I don't know how that determination can be made.

I also see it as sort of a reverse onus, you know, that someone is considered to be a lawbreaker or not a person of honesty and integrity until they go before the board and they have to prove before the municipality that they are a person of honesty and integrity. Quite frankly, when we look at the problem that this legislation is deemed to deal with, I don't think that in any way comes close to solving the problem.

I put this to the Solicitor General, who I know is listening intently: If someone is going to open an after-hours club and operate it in an industrial factory on a Saturday night or a Friday night and they're going to sell liquor—they don't have a licence, they don't have any permit from the municipality to do it, they've found an empty warehouse and they're going to go ahead and run their after-hours club and make some bucks—how does that section in any way, shape or form deal with that particular issue? It doesn't.

As I say to the Solicitor General, it is that kind of after-hours club we have to deal with, and I don't know where in this bill exist any sections that will deal with that, because you can't legislate an illegal activity, you can't regulate something that is totally and purely illegal. The only way you can deal with it is through the issue of enforcement. That's the only way.

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Hon David Christopherson: That is intellectually dishonest, and you know it.

Mr Harnick: The Solicitor General tells me I'm being intellectually dishonest. I ask the Solicitor General, and I know he's going to jump up on his feet, to explain to me how you regulate by law something that is illegal. Do you pass an act that says you can't sell liquor in an unlicensed premise? We already have that act. Do you pass an act that says you can't have more than 50 people in a room if alcohol is being served? We already have that act. The fact of the matter is, this act regulates legal activities that already exist where something illegal may be happening there.

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): We can tell you. We keep telling you. You haven't read it properly.

Mr Harnick: The Minister of Consumer and Commercial Relations is chirping away at me, telling me I haven't read it properly. All I say to her, as she yips away at me, is that when I sit down you will have your

two minutes to tell me how this bill regulates after-hours clubs that are not licensed, that operate in a different place every weekend, that have absolutely no controls on them whatsoever—

Hon Ms Churley: Did you say “chirping,” Charlie? That was a sexist comment and you should apologize.

Mr David Tilson (Dufferin-Peel): Oh, give me a break.

Hon Ms Churley: Well, it was a sexist comment.

The Acting Speaker: Order, please. The member for Willowdale has the floor.

Mr Harnick: I know that the Minister of Consumer and Commercial Relations is going to tell me how this bill regulates those kinds of activities. I say to the minister, there is a way to do it: You do it under the existing laws; you must permit the police to have the resources to go in and deal with it.

We have this great big scandal in Ontario where municipal politicians are apparently corrupt and we set up a task force, Project 80 or whatever it's called, and we devote all kinds of money to dealing with municipal corruption. What you're going to have to do here is devote some money to dealing with the eradication of real after-hours clubs that exist for a purely illegal purpose, and that's the only reason they exist. They're never in one place more than two weekends in a row, and the only way to deal with them is through police enforcement. That's the only way.

Hon Ms Churley: How many do you want to hire, Charlie? How much money?

Mr Harnick: The Minister of Consumer and Commercial Relations says to me, how much money do we need? The reality is that we need enough money to stop people going to these establishments and killing each other every weekend with their guns. You stop it by enforcing the law and giving police the resources they need to deal with the problem.

Mr Mammoliti: How much is that? You'd have to have a cop on every corner.

The Acting Speaker: Order, please.

Mr Harnick: Mr Speaker, it appears we've struck a nerve.

As I ask all my friends on the other side—we've gone through the Solicitor General, the Minister of Consumer and Commercial Relations, and now it's the member for Yorkview. I'm going to ask him the same question I asked the previous two ministers, even though he's not a minister. His day may come, but I rather doubt it. I ask him to please pick up this act and read it for me and tell me how this act regulates places that exist only for a purely illegal activity.

I see the member for Welland-Thorold. He's not getting involved in this debate, but I know he understands that you cannot regulate an activity that is illegal for its very purpose. You can't regulate something that's illegal. That's the only point I want to make. I praise the government for creating a piece of legislation that will deal with some of the problems, but it will not deal with the very root cause of how people are getting killed every week—

end at after-hours clubs, where they go for the purpose of shooting one another. At any rate, I shall move on.

There is a section in here, and I do want to put this to the Solicitor General, because it's a section that I hope he will direct be made more clear at the committee hearings, which apparently are tomorrow. I'm concerned about subsection 4(1) of the bill, which reads as follows: "Where an owner is convicted of knowingly carrying on or engaging in a trade, calling, business or occupation...without a licence required by a bylaw passed under this act, the court shall order that the premises or part of the premises be closed to any use for any period not exceeding two years."

I have some concerns about what that section means. It talks about where the owner is convicted of carrying on a business or occupation without a licence required by a bylaw; so if the owner runs a business without a licence, contrary to a bylaw, "the court shall"—not "may"—"order that the premises or part of the premises be closed to any use for any period not exceeding two years."

What I wonder is, who is the owner? Is the owner the owner of the building where the business is carried on, or is the owner the owner of the business? I don't believe that is defined in here. If I rent someone's premises and I carry on a business without a licence that should be a business that is licensed by a municipality, it says, "the court shall order that the premises or part of the premises be closed to any use for any period not exceeding two years." If I own the business but someone else owns the premises, does that mean that person's premises are closed for a period of two years because the tenant who was carrying on the business was doing something illegal, operating without a licence? I ask the Solicitor General to clarify that section for me, or at least to provide us with some guidance in the committee hearings taking place tomorrow so we can deal with that issue.

I have some concerns, particularly if you're the landlord and someone rents your premises. Is this now going to mean that the landlord has to ensure the business carried on there is a business with a permit? Is that something that now becomes a landlord's obligation? Or is it merely a matter of the tenant going in, doing something illegal and the landlord paying for it down the road by having his premises padlocked or boarded up for two years? That is a small concern I have.

In terms of the aspect of the bill dealing with special-occasion permits, it appears from the tenor of this bill that many after-hours clubs operate under special-occasion permits. In other words, you go down to your local liquor licensing office, you apply for a permit, you get a permit, and for the day that permit specifies you can during the hours specified in the permit, I suspect, run a bar or an activity where there is a liquor licence temporarily on the premises for the purpose of that occasion. It could be a wedding, it could be a barbecue, and I suppose it can also be an after-hours club. Someone rents a place, they have a special-occasion permit and they run a bar, and I gather that becomes legal because you have a special-occasion permit. I can see that many illegal after-hours clubs are operated under special-occasion permits. I suppose what happens is that the permit runs

out at 1 o'clock, when the bar is supposed to be closed, but they continue to serve alcohol after the bar closes and it becomes an illegal after-hours club at that very moment.

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We are now trying, under this particular bill, to deal with control of special-occasion permits, and I think this is very important and it's very necessary to be done. It's different from the after-hours club I spoke of earlier because this after-hours club, by its very nature, is known to the liquor licensing authorities. They know the licence has been granted, they know where the special occasion is taking place, so there is a measure of control; we can deal with this kind of situation.

But I think there are a couple of things the government can do to beef up the sections it has recognized with special-occasion permits.

Apparently, and the Minister of Consumer and Commercial Relations would know this, there is no tracking or recording of special-occasion permits by computer. So if I go in and apply for a special-occasion permit for an event coming up next week and the application otherwise looks in order, they will grant me the permit. But if I had a permit a year ago and I kept my bar open after 1 o'clock in the morning and in effect ran an illegal after-hours club, nothing is kept in ministry files or computers that can be readily accessed so it would be recognized that I am a person who has abused a special-occasion permit in the past and therefore should not be entitled to one today.

I put it to the minister that perhaps we can make this section tougher and have some control about the history of applicants dealing with special-occasion permits.

Hon Ms Churley: We'll be doing that.

Mr Harnick: The minister's shouting something at me, but I can't hear her.

Hon Ms Churley: I was trying not to chirp.

Mr Harnick: She indicates she was trying not to chirp or yip or whatever she does. Anyway, I would suggest that is a very realistic thing for the Minister of Consumer and Commercial Relations to deal with.

There has been a suggestion as well, and I don't know if I particularly subscribe to this, but the minister would know better because she has all the experts in her ministry—

Hon Ms Churley: And I'm smarter too.

Mr Harnick: The minister says she's smarter; I'll stake her on that any time, but that's for another day.

The minister has all these people who are very wise in the ways of dispensing liquor and providing permits for liquor, and there has been a suggestion that perhaps we should adopt as an experiment an extended-hours policy for six months. We have had extended hours from time to time in the municipality of Metropolitan Toronto, when we've had a big convention in town, when there's been a World Series or a Stanley Cup or whatever. As I say, I don't know whether this would be a good thing or not a good thing, but it has been done before and the sky has not fallen.

I think we have to ask, if people are going to be drinking, is it better that they drink in controlled circumstances where they are being served by professional servers, where there are professional bartenders in attendance, where there are limitations on how many people can be in the room at any given time, where there is an owner of the premises who has an obligation to abide by the law or he might lose his liquor licence and thus his livelihood? Is it better to have people drinking after hours or at later hours in places like that, or is it better to have them drinking after hours in clubs that are operating in one industrial plaza one weekend and another industrial plaza the next weekend, where there is no such control?

I know the Ontario Restaurant Association has put it to the minister, "Why don't you just try this on a six-month basis and see what the impact is?" and then we can do a study. Maybe that would get rid of the kinds of purely illegal after-hours clubs that exist. There wouldn't be much purpose for them if you could go to established licensed premises. I don't know what the answer to that is, but I suspect the minister will enlighten us when she gets up to respond to what I'm saying.

The other interesting aspect about special-occasion permits is that maybe we should have a 10-day holding period, something the member for St George-St David mentioned and something that the restaurant association has indicated would maybe be realistic. What they say is that perhaps a 10-day holding period for special-occasion permit applicants would allow the Liquor Licence Board of Ontario, the police and other interested parties, such as the municipality, to properly review the application. It seems reasonable to me. I don't see it in the act.

So we have a couple of things that really can be implemented: We can deal with computerized retrieval systems so we can know about the history of an applicant and whether he's ever abused a special-occasion permit before and maybe isn't the kind of person whom we should be issuing it to. And maybe we should have a 10-day holding period so the police can be notified that there is an application and other interested parties might have an opportunity to find out about it, such as a municipality, so the application can be reviewed properly and everyone can know about it before the event and before the licence is issued.

Another interesting thing, and the Minister of Consumer and Commercial Relations might be interested in this, is that a special-occasion permit must be applied for and obtained in the same municipality in which the function will be held. Apparently, that is not the case today. I can apply somewhere in the municipality of Metropolitan Toronto for a special-occasion permit and I can have that permit to run an event several hundred miles away, and no one has any idea that I'm going to do that. The permit says it, but are the police in that jurisdiction notified? Is the municipality in that jurisdiction notified? Is the township in that jurisdiction notified? Are the Ontario Provincial Police notified? These are all very straightforward things that the government and the Minister of Consumer and Commercial Relations can do if they really want to deal with this problem.

The other interesting aspect is that the restaurant association recommends that policing powers and resources need to be increased in order to deal with illegal after-hours clubs or legal clubs that are involved in criminal activities. I know the Solicitor General and the Minister of Consumer and Commercial Relations and the member for Yorkview don't want to hear that kind of stuff, but the fact is that all of this is contingent on the police having the resources to do their job. It's as simple as that. You want to eradicate this kind of thing? You want to stop people going out on Saturday night and killing one another? Well, I've said it before, I'll say it again right now, and I'll probably say it again before I sit down: It's very important for police to have the resources to deal with these problems.

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I think the bill is a very decent attempt to deal with a difficult problem, but I fear that the bill is going to punish those who might be involved in legal activities because they are more accessible than the people whom we really have to punish: those who are involved in the purely illegal activity that the government I think should stand up and admit, "We are having trouble dealing with," because it's an impossible problem it's now being faced with.

The reason they're being faced with that impossible problem—and I wish, instead of saying this act is the be-all and the end-all, they'd level with people and say, "The act can only accomplish so much"—is because what has happened is that since 1987 this problem has escalated out of control, and the Liberal government should have been dealing with it. The problem here is that the NDP government inherited a terrible situation that was out of control, that had no brakes put on it, and they are now struggling to deal with a problem that has become too big, too unwieldy.

Quite frankly, and I say this with the greatest respect to the Minister of Consumer and Commercial Relations and to the Solicitor General, they are trying to deal with a problem that is impossible to solve by legislative means purely and simply. Maybe in 1987, when this problem was just in its infancy and the Liberal government recognized it by the report it prepared, they could have dealt with it and it wouldn't have escalated to the point it did. Now you're in a difficult position. It's become part of the culture to have after-hours clubs popping up in one place on a Saturday night and then being 10 blocks away on the next Saturday night, and it's almost impossible to deal with that eventuality. I admire the fact that you're trying, but this bill does not deal specifically with that illegal activity. You can't, as I said earlier, legislate something that exists for a purely illegal purpose.

To be perfectly fair, which is what I want to be, I think you've done a good job of trying to put the brakes on a very difficult problem, a problem that was recognized by the Liberal government in 1987 and ignored, a problem that the Liberal government set up a committee to deal with, which made recommendations, and then turned a blind eye to them.

Mr Anthony Perruzza (Downsview): Make some suggestions. Forget the bafflegab.

Mr Harnick: The member for Downsview says, "Make some suggestions." If he was listening, I've made a number of suggestions, and the Minister of Consumer and Commercial Relations will probably admit that to him. I made suggestions about special-occasion permits, and she nodded affirmatively, quite surprisingly, at a couple of them. She's still nodding affirmatively. I guess the member for Downsview recognizes a nod only if it comes with a little rattle, because that's what he's used to; when he nods, he hears a little rattle. The member for Downsview has not really been paying attention to what I've been saying; I have offered some suggestions.

But I must tell the member for Downsview that this is a very difficult problem. It's a problem that is almost impossible to legislate, so I think the member would do well to read this act and see what it is trying to accomplish and to understand that it can accomplish a level of regulation of recognized, existing, licensed businesses or premises. It can't deal with something that is totally illegal and without a licence.

At any rate, that is what I have to say to the member for Downsview. If he listens to what I'm saying, he'll see that I have been making recommendations.

It's interesting as well, and I say this to the Solicitor General and to the Minister of Consumer and Commercial Relations, that right at the beginning of the act—I wish the Minister of Municipal Affairs were here, because this is really his part of the act—in section 2 of the act it states, as I said earlier, what the powers are regarding the granting/refusing of business licences by a municipality.

One of the things that concerns me is that you can impose conditions on a business licence at the time it is granted or at any time during its term. It strikes me that if you have to impose conditions on a club that might be serving liquor and you have to make a licence conditional, maybe you shouldn't license the premises at all. I think that is something the government should consider. I don't know what kinds of conditions they envision, but if you think conditions are necessary, maybe that should be indicative of an establishment that shouldn't be licensed at all. That is something I think the government should and would be well advised to consider.

Interjection.

Mr Harnick: I think this is a very good initiative by this government, in spite of the fact that the member for Fort York wants me to sit down and is shouting to me, not with anything of any particular intelligence, not with anything that deals with anything between the covers of the bill. I think this bill is a very good initiative by this government to regulate—

Mr Marchese: It's about time you said that.

Mr Harnick: The member for Fort York says it's about time I said that. It's probably about the third or fourth time I've said that.

This bill is a very good initiative, and it will be a very good bill in regulating what we know exists—something that already has a licence, something that's applying for a licence, some business that is existing and is on the rolls of the municipality—but it will not, I'm afraid, deal

with the kinds of establishments where people go every weekend to shoot at one another. Quite frankly, I don't think the smartest people in the world could come up with a way to regulate something that is purely and simply existing for an illegal purpose. The only way to deal with those kinds of establishments is to provide the police with the resources and support they need to close down those kinds of places. I know that's what the mayor of North York wants; I suspect it's what the government wants. But until the government is prepared to set up an initiative to deal with those kinds of after-hours clubs, the problem will continue.

Hopefully, this will slow the problem down; hopefully, it will make the problem less prevalent; hopefully, fewer people will shoot each other on Saturday nights, particularly in large metropolitan areas. I hope this bill finds that measure of success, but I say to the government, it will only be successful at the end of the day if you give the police the resources to do their job.

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The Acting Speaker (Ms Margaret H. Harrington): Thank you. Questions and/or comments?

Hon Mr Christopherson: It's always a pleasure to hear the comments of the honourable member for Willowdale, an individual I respect and enjoyed being on committee with earlier in the term and continue to enjoy exchanging ideas with.

I do want to acknowledge, first of all, his support and his party's support to unanimously put this through. Having said that, I do want, of course, to take exception to a couple of comments and positions he has taken, as I know he expected.

I was cautioned, "Give Tories an inch and they'll take a mile," and sure enough, I say something complimentary about their being consistent and he runs with it to the ends of the earth. I would just point out to him that there's a big difference between being constructively consistent and being consistently rabid, which is where his party has been many times on the issue of law and order.

I want to speak specifically because the time goes very quickly. I can't comment on all the issues, but on the issue of resources and the number of officers I want to take just a minute to explain and be sure the member understands that this is not an issue per se of officer resource alone—not that that's not always helpful in many areas when we're trying to deal with public service. But, specifically, the police are not looking for more officers to line up at the top of a stairwell or to burst through a door. In many cases, these are exceptionally vulnerable positions for our officers to be in. Going in and raiding these places is not what they want to do. It jeopardizes our police officers. It jeopardizes the public. We could have mayhem in there.

The real answer here is one of prevention. It's at that juncture that I take exception to the fact that he makes the claim that there is nothing here that allows us to go after totally illegal establishments. It does in a big way. It allows a greater access, an easier threshold, to warrants. It allows police to have powers of seizure. It allows police to have the ability to clear establishments. That

will send a strong message out in terms of deterrence; that will go a long way. And if he questions that, ask the police how they feel about these added powers, because they're the one who are saying these tools will make a difference and it's that way we can make the kinds of changes that need to be taken here.

I'll close by being positive and again thank the member for his support on the issue.

Mr Cordiano: I want to refer quickly to something the member said about not being able to legislate out of existence something that is illegal. I really can't understand that. Perhaps he's going to suggest to me that that's taken out of context. But I think his entire premise around this question, in his efforts to criticize the initiatives being taken, is that most of what is a problem is illegal, the illegal booze cans.

I will admit to the member that there are many illegal booze cans that exist out there, but the fact that they're illegal does not mean we should not legislate against those illegal establishments. That, he has claimed, is already the case with a number of statutes that are in place. Granted. But by the same token, the measures in the bill I believe will lead to some further closures of these illegal booze cans because there are greater teeth in this legislation. That is another reason for supporting the legislation.

Furthermore, I would add that in 1988, a private member's bill introduced by one of my former colleagues, Michael Ray, respecting the city of Windsor, was a forerunner to the legislation that's been introduced by this government. It dealt with a number of matters being dealt with in this legislation and it was a private member's bill. I will suggest to the member that the problem now has become exaggerated and totally out of control, witnessed by the fact that there are many people out there who feel much more unsafe now than they did in the past, in 1988. People do not feel as safe as they did then.

Mr Tilson: I'd like to make a few comments in response to the member for Willowdale's remarks with respect to Bill 198. I think he has said that as far as our party is concerned, we support the plan. This bill does set forth a plan to deal with this problem, but it doesn't provide the tools or the personnel to effect that plan.

Bill 198 does provide certain amendments to the Municipal Act, and yes, the regional municipalities will require more dollars, more funding, more organization, more bureaucrats, and that's going to mean more local property taxes. I guess the question is again, what commitment is the province going to make to assist those municipalities?

The same goes for the Liquor Licence Act. That has to deal more with the police of this province, whether it be municipal or Ontario Provincial Police, and again there doesn't seem to be any commitment from this government to provide assistance to the Ontario Provincial Police or the municipalities to effect what is a good plan. This bill is a good plan, there's no doubt about that, but the problem is going to continue. It's fine setting up rules and regulations, but if you don't have the personnel to effect that plan, then it's all for naught. That's the major criticism.

He did make one comment, which I've got a few seconds for, with respect to section 4 of the bill where it says, "Where an owner is convicted of knowingly carrying on or engaging in a trade..." and the question was, who is that owner? Is it the owner of the business or is it the owner of the property? It's a very good observation.

One other issue of course is that it says, "the court shall order that the premises or part of the premises be closed to any use for any period not exceeding two years." In many of these situations, the after-hours clubs, once that's happened, it's simply going to move to another location, and again it gets back to the whole issue of personnel.

I congratulate the government for at least dealing with the initiatives, but it's only half completed.

Hon Ms Churley: I'd like to thank the member for Willowdale for his comments, and would just like to say to him first that I'm glad real men don't chirp. I just want to clarify a couple of things he said.

You did make some really good points, and I really do thank you for your support. You'll be pleased to know that already there are currently in place waiting periods for special-occasion permits. I just have to check, but for a reception it's a 10-day waiting period, and for all others it's a 30-day waiting period. But he's quite right that in the past, as special liquor licences came up over a period of time—it was brought in under the Tories—of course they've extended. There are about 80,000 or more a year now for small community events etc.

We are in the process of automating. It's a very good suggestion. It's not actually in the bill, but we have been in the process of trying to do that for some time, and we'll have it in Toronto by the end of December. It's almost there. It's a very important point.

I think the Solicitor General pointed out fairly well the difference in the powers the police have now and what they will have after the bill passes, in that now they can go into a premises which doesn't have an SOP and isn't licensed under the Liquor Licence Act if there's a perceived problem in terms of certain regulations or the act; they now have the ability, which they didn't have before, to go in and vacate the premises and seize, and then of course the municipal powers can take over.

The last point I'd like to make is in terms of the six-month extension. If the municipalities and the police would be supportive of that, we might take a look at it, but so far—and first of all, I don't think it would solve this overall problem, which I agree is very difficult—AMO has voted against it and the police have some real problems with it as well. But it is something, if we get permission from municipalities, we can be looking at.

The Acting Speaker: Now the member for Willowdale has two minutes in response.

Mr Harnick: I appreciate the kind remarks from the members who have commented on my speech, because I do think this is a very difficult problem. It's a problem that has no simple or easy or quick solution.

The one issue that comes to my mind, and I say this somewhat in jest, is that when you say the police have

the power now to clear the premises, you can rest assured that when they break into or when they enter into an illegal after-hours club and someone yells "Raid," the premises vacate very quickly. So they don't have to have that power, practically speaking.

It was interesting to listen to the comments of the member for Lawrence. He told me in his response that it's possible to regulate booze cans. From that, I gather the Liberal position is that they, as a government, if they're the next government, will license or attempt to regulate booze cans by some form of business licence, liquor licence or other regulation. Booze cans operate illegally; they operate without licences, business licences or liquor licences. The only way you can deal with them is by enforcing the law as it exists; that's having police who can go in and close them up, because they change locations every week. But it's nice to hear that it is the Liberal position that they want to regulate booze cans.

I don't know about the Liberal position, but I can tell you it's the position of my party that booze cans are not regulatable and we want to make sure that every one of them is closed up so that citizens are safe and we stop having people killing one another on Saturday nights in Metropolitan Toronto.

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Mr Cordiano: On a point of order, Madam Chair: I just would like to note that the member for Willowdale, from the Conservative Party, who was referring to my comments, is badly misinformed about what he reinterpreted my statements to be.

The Acting Speaker: That is not a point of order. We are looking for further debate on Bill 198.

Mr Marchese: It's my pleasure to speak on Bill 198. We have a history of involvement on this bill, so it's a pleasure for me to take part in this.

I heard a few critical remarks by Mr Murphy and Mr Harnick and I want to respond briefly to some of the points they have made and then make my own remarks with respect to this bill.

One of the things Mr Murphy had talked about as a criticism was that unfortunately we didn't do it sooner. I understand the frustration of the opposition; I understand why they would be saying that. We as government members and as a government always have a problem with the opposition, because if you don't do it you get attacked for not doing it, and if you do do it you get attacked for not doing it sooner. It's a no-win situation for the government and for its members, and I understand that; it's part of the respective roles we play, obviously, as effectively as we can.

The other matter raised which I think is a bit of a problem is that this bill will not solve the root problems of anything or everything. When we set up phantom problems and phantom solutions, it's a problem; if we have goals that are almost immeasurable or criteria that are very unreachable, it will be very difficult for any bill to do justice to the problems they speak about. True, it will not solve all the problems Mr Harnick raised and indeed some of the questions Mr Murphy raised, nor is it intended to solve these things. In fact, all bills are

evolutionary, that is, they respond to particular problems of the time and, as we move on, we make changes to those bills with respect to their practice so that as we recognize the weaknesses or the problems contained in those bills, we change them; future governments do that.

So as a criticism to the criticism, when you set up these phantom problems and solutions, they're not workable. When Mr Harnick says we need more police out on the street, he doesn't have an answer about how many more we need. It's not the answer, necessarily, to have a thousand more police on the street, and even if you had a thousand more police on the streets, you wouldn't be solving these problems. He knows that.

At the same time Mr Harnick says we've got to cut budgets, all budgets—social services, education, health—on the other hand, they'll find more money for the police. I understand that, but even that, I argue, would not be the solution to the problems that he himself was speaking about. Even if you put 50 more, 100 more, you'll still have the same establishments Mr Harnick speaks of out there.

Mr Robert W. Runciman (Leeds-Grenville): We don't need any more police officers; is that what you're saying, Rosario? This is about smoke and mirrors. It's all smoke and mirrors.

Mr Marchese: The point is that this legislation deals specifically with some specific problems and it establishes a law, enforcements and fines that will hopefully deter many from being illegally involved in these establishments.

This bill is about many things. It's about working with community, it's about keeping out downtown livable, it's about keeping cities and communities livable, it's about keeping the selling of crack cocaine from becoming a permanent part of our neighbourhoods. As much as we are respectful and tolerant, there comes a time when government has to be able to deal with this in a way that, through the enforcements we set out here, we'll get to deal with a lot of illegality that is going on.

A bit of the history: About a year and a half or two years ago, a community group came to my office with a simple request for assistance. They were saying, "Help us to get back our community." Crack dealers were making their downtown streets unlivable. In my part of the world, we had shootings, residents threatened, residents assaulted, and a police officer was stabbed. All the while, various government agencies and others kept stepping into red tape whenever they tried to take action.

So led by the community—and I want to praise the community, because that's what a civic movement is all about; that's when solutions happen, when communities get involved—in my riding, we started to really work together: the Toronto east downtown residents, the police, the local housing cooperatives, city councillor Kyle Rae, Metro councillors Olivia Chow and Joe Pantalone. We worked together, and today our safe neighbourhoods bill takes another step towards becoming law.

Some details of the bill: A private member's bill I introduced last summer has been broadened by Municipal Affairs Minister Ed Philip to serve the whole province.

When I raised this issue back in March, he was very responsive to the proposal I was putting forth to him, and it's because he moved very quickly in response to the request I had made that we were able to introduce a bill in this House for first reading, as we did. This legislation gives municipalities the tools to deal with illegal after-hours clubs and, I would say, the small percentage of legal establishments that have become havens for drug dealing and violence.

My bill targeted a number of establishments which repeatedly ignore obvious criminal activity on their premises or actively participate in crime. It gave the licensing commission the power to restrict the hours of operation in establishments in which drug trafficking regularly takes place and it increased fines for businesses operating without a licence. That's what my original bill did, and it was intended to deal with unscrupulous businesses and unscrupulous business operators in my riding, and indeed in Metro and across the province.

The new bill introduced by the minister gives the same licensing power to all municipalities across Ontario. The new bill also closes other legal loopholes to give municipalities and police more effective power to deal with illegal after-hours clubs.

I want to talk about some of the myths that have been introduced by some people, and I think it's good to put it in the context of myths.

The bill does not affect legitimate business. In fact, we were responding to requests from the restaurant industry for more effective action against those after-hours clubs which have no business licence, pay no taxes, follow no rules and compete unfairly with legitimate small business. Our government gave the city of Windsor similar powers and we have had over the years no reports of complaints in Windsor.

This bill does not set up new bureaucracies. This is a grass-roots initiative. By giving better tools to municipalities, the bill provides for more effective action without the expense of more bureaucracy.

This bill does not threaten anyone's rights. Police actions will still require warrants, and all the customary civil rights protections remain in place, but it will be easier to quickly close an illegal club where there have been drug dealings and violence.

I want to talk about the liquor licensing provisions that we've put in place. Again, these are enabling provisions we have put in that will give the tools to the police, the additional powers they need, to deal with the problems we have. What power will they have? Under the liquor licensing provision, they will be able to enter premises, order people to leave, arrest without a warrant for offences against the regulations, seize the liquor being sold illegally, the proceeds from the sales and any equipment such as tables and chairs involved in the commission of the offence.

Other changes are being made to increase flexibility in the issuing of special-occasion permits.

The regulations will require that special-occasion permits be issued from the LCBO outlet in or closest to the municipality where the event is to take place. We do

this because we know a lot of the people who have set up these fly-by-night operations go all over the place, get a permit, set themselves up, make a great deal of money, leave and they're up again in another location.

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They will require that upon request an applicant for a special-occasion permit must produce photo identification. We think this will be an important deterrent.

They will require that if the permit holder does not attend the event, the person designated to attend in his or her place would have the same duties under the Liquor Licence Act as the permit holder. This means the permit holder would not be able to avoid liability for whatever happens at the event.

Information on special-occasion permit applications will be shared with the police to help the police head off events they have reason to believe will pose threats to public safety.

These are measures that will be effective in order for us to be able to deal with those establishments selling liquor illegally and doing illegal activities in general.

Under the municipal licensing provisions, the bill clarifies and codifies current licensing practices, which are not at the moment clear, and gives all Ontario municipalities additional licensing powers to address some of the problems identified by the Metro drug abuse prevention task force, which was set up in 1986-87, and made its recommendations in 1990. The added powers would include the ability to impose conditions on licensees, including restricting the operating hours after a hearing, and it gives them the ability to temporarily suspend a licence following a hearing. In addition, the legislation raises the maximum fine from \$5,000 to \$25,000 for individuals and from \$5,000 to \$50,000 for corporations and gives the municipalities the power to seize business equipment in the event of non-payment of a fine.

All of these are attempts to produce legislation that deals with an immediate problem that many in our communities have identified, that the police themselves and some of the police chiefs have identified, that many municipal councillors and municipalities have identified as being a problem. What we are doing as a government is responding to all those concerns by all those different constituencies in Metro and beyond. My colleague read a letter from AMO that speaks of its support for this bill, Bill 198.

As final comments, I want to say that, while I've taken it upon myself to introduce this bill and work for its passage, I want to share the credit with all the people I mentioned, the Metro councillors, the city councillor in my riding, who developed the idea through the Metro task force on drug abuse prevention. Last spring, Toronto city council passed a resolution supporting action. All six Metro-area mayors also expressed strong support for legislation to control after-hours clubs.

Tomorrow, we'll be in committee to hear the views of opposition members. I hope we can find a way, obviously a speedy way, to support this bill and facilitate its passage as immediately as we can.

I thank the minister and the other two ministers, Minister Churley and Minister Christopherson, for their involvement, for being very receptive and helping us to create the other necessary tools we needed to create effective legislation, the genuine response to the concerns of our communities.

The Acting Speaker: I thank the member for Fort York. Are there questions or comments to the member?

Mr Cordiano: Very briefly, I believe that the efforts made by the member for Fort York, in large part, have obviously led to this piece of legislation coming forward as government legislation. I would like to add that I believe it was our cause in the Legislature, both my leader's and other members of the opposition, that helped and assisted the government in coming to its wits about this and bringing forward this legislation as government legislation.

Let's be honest about this. At least on this side of the House, this party believed that action needed to be taken swiftly. Indeed, I don't believe the government would have acted if it had not perceived that there was a readiness or a willingness on the part of members of the Legislature, including this party, to support the legislation.

I believe that, at the end of the day, the government took the action it did partly because of the efforts of the opposition. I'm not so sure I can say that about my Conservative friends, because they are rather ambivalent and rather inconclusive about their support for this piece of legislation.

Mr Pat Hayes: I wouldn't take that, Dave. Get him.

Mr Cordiano: I still don't understand, with all due respect to my friend sitting in the Conservative ranks right now, where the Conservatives will be on this piece of legislation on third reading.

But, as I've said from the outset, I believe this is the least the government could do in attacking or dealing with this issue. I believe more needs to be done to make all of our neighbourhoods safer places to live, and I will be speaking about that a little further when I get the chance to speak.

Mr Tilson: With respect to the comments of the member for Lawrence, our party is taking a position. We will be supporting the legislation, which is far more than we've heard from the Liberal Party. We do say, however, that the legislation does not go far enough.

I congratulate the member for Fort York for bringing this legislation forward. His was Bill 180, I believe, and I gather that this legislation substantially accepts or adopts what he has put forward.

I still come back to the fact, as the member for Willowdale had commented, that this piece of legislation does not go far enough. It's fine to set out all these rules, but you have to have personnel, you have to have police officers to enforce them. The one brief members are starting to refer to, and I assume everyone has received one, is from the Ontario Restaurant Association, which does talk about much of that criticism, the fact that it doesn't go far enough, that there are major concerns.

I think you're going to find support for this piece of legislation, Minister of Consumer and Commercial

Relations, Minister of Municipal Affairs, and I suppose the Solicitor General is also involved. But the fact is, as someone mentioned in a heckle, it is smoke and mirrors. It doesn't go far enough. I think you've had an opportunity to do that and you haven't done that.

One little point I'd be interested in hearing about in comments from the member for Fort York is a statement made in the Ontario Restaurant Association paper prepared for committee hearings, and I'd like the member to respond to it.

"We believe that Bill 198 is seriously flawed in that its focus is on the establishment where an illegal activity is occurring, regardless of whether or not the proprietor is involved in the activities.

"Bill 198 will not necessarily punish the person who is committing an illegal activity; rather, it will punish the establishment as a whole by revoking, suspending or imposing conditions on the business licence. This will impose a severe burden on small business operators, who, under Bill 198, will be punished by the actions of their customers."

That's a question I hope the member would respond to.

Mr Perruzza: I want to speak to some of the comments made by my honourable friend and colleague the member for Fort York in relation to this bill. Before I address some of his, I want to speak to some of the reactions from the opposition simply by saying this: If in this place you got paid by the word, all those folks would be millionaires, but if you got paid on the basis of content, they'd all be penniless. They have offered nothing to this debate.

What my colleague from Fort York has done is, he's sat down and given considerable thought to a real problem. You don't come to understand real problems by getting in your car, as my Conservative friend the member for Willowdale does, and driving from Queen's Park into well-to-do Willowdale and reading the headlines in the papers the next day and saying, "Oh geez, we got a problem in the middle of the night happening here in Metro Toronto." Or you don't do it, as the Liberal leader does, by going from Queen's Park to the airport to Thunder Bay, and saying, "Oh geez, we got a problem in downtown Toronto."

You understand it by understanding the city and by understanding how these people work. They rent warehouses, they bring in a whole bunch of stuff, and it becomes a private party; they stay until all hours of the morning and nobody, quite frankly, can do anything about it. This bill increases the fines, takes away the tables and chairs, takes away their alcohol, and puts them out of business.

Don't think for one minute that the police don't know where the after-hours clubs are. They do know. They just don't have the ability to get in there and put those people out of business. That's what they can't do, and that's what this bill will do. It will allow them the access to get in there and put them out of business.

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Mr Mammoliti: One of the reasons I enjoyed my colleague's speech was because it was quite different

from what we've heard tonight. We've heard consistently from opposition tonight that perhaps more police officers are needed on every street corner; perhaps every street corner and every curb and everywhere in sight on every street should have a police officer present so we can deal with the murders and we can deal with the assaults and we can deal with the problems in our communities. But the individuals who bring this forward don't talk about how much that's going to cost the taxpayer. I haven't heard today from any of the members across the floor how much it will actually cost their constituents.

My colleague has spoken about the progressive way of dealing with the problem at hand. He has spoken effectively on what this bill is going to do for communities and for the police department. It's not going to cost any more. It's not going to increase the number of police officers on every corner. We can deal with the problem in after-hours clubs in our way, effectively, with this change. It's his belief we can, it's my belief we can, and quite frankly it's the belief of most of the members in here, whether they want to admit it or not, that this would be the solution.

I'd like to hear a little more about the progressive way of dealing with the problem, and I hope that over the next little while we can hear from other members who might share some of the real ways of dealing with the problem, and not the smoke and mirrors from the opposition.

The Acting Speaker: Now the member for Fort York has two minutes to respond.

Mr Marchese: I thank the members for Dufferin-Peel, Lawrence, Downsview and Yorkview for their comments with respect to what I said.

Some quick remarks about what the member for Lawrence said: I want to acknowledge that Lyn McLeod did raise a question in this House about my bill, and that was useful. It was good for us to listen to the Leader of the Opposition raise a question about a bill that I had before this House. I acknowledge that she did do that.

With respect to what the member for Dufferin-Peel said, I am a touch puzzled about some of the remarks he made. "This bill doesn't go far enough," he says. I don't quite understand what that means. I think he's trying to perpetrate another myth with whoever is listening that perhaps this is yet another smoke-and-mirror exercise, but I don't quite understand what he was proposing about how much farther this bill should be going. The fact is that the police were participants in the creation of my bill. The police chief was at our press conference and spoke in favour of this bill, and many other police chiefs were there and spoke about their support of this particular bill. We did it with them and in response to what they said.

The member for Downsview says quite clearly that the problem is that we never had the rules in place, didn't have the proper law that would give the tools to the police and to municipalities to deal with these illegal establishments. That's why we introduced the bill. That's what the police wanted, that's what communities wanted, that's what municipalities wanted, and that's what we did. Then the member for Dufferin-Peel comes and says,

"This bill doesn't go far enough." I don't know what he's talking about.

He puzzles me and the communities that are listening with respect to what he's proposing. I don't know what they're proposing, but this bill goes far, it responds to communities, and it will be effective in dealing with the problems that the communities have identified for us over the last couple of years.

The Acting Speaker: Now we have further debate on Bill 198.

Mr Cordiano: I would like to make a few comments in the brief time I have about this piece of legislation, which I say from the outset I very much support.

I said earlier that it is the least the government can do with respect to safety in our communities. Well, there's a lot more the government can do about safety and security in communities. This bill does a certain number of things in terms of problems it attempts to solve, and to that end I think it does a fairly decent job of addressing some of the concerns this legislation attempts to deal with.

To the member for Fort York, again I acknowledge that credit is due to him for having brought this piece of legislation forward in the form he did as a private member's bill, but I would also reiterate, because I'd like to clarify what he said, that my leader did stand up in the House not just to ask a question about the incidents that were occurring, the acts of violence that had occurred, but to urge the government to act to do something to correct this situation. She specifically referred to his legislation when she did ask a question of the Premier, and it was in that exchange that the Premier did say he would be committed to bringing forward legislation. That was the first time we heard his real commitment towards enacting legislation.

All these things add up to a measured amount of real support and concern by all members of the House for safety and security in their own neighbourhoods. I would be the last person to stand in this House and say that there is one member in this House who isn't concerned about security in their own neighbourhoods. Of course that is the case. The question is what we do about it, and the question is, what is the government ready and willing to expend in terms of energy, resources, and the time that remains for this government to deal with some of the very real problems that exist in the communities out there?

To that extent, I would say this is a good step in that direction, in dealing with some problem spots, those being after-hours clubs and illegal booze cans. I do believe there are measures in this piece of legislation that attempt to deal with illegal booze cans and give the police the teeth to deal with it, as has been enumerated and elaborated on previously. I will not go into that in any greater detail.

I believe, after having spoken with members of the police department in Toronto, that this legislation will at least give them a fighting chance going into these establishments, these illegal booze cans, in an effort to shut them down, which I think will go a long way to alleviat-

ing many of the problems we have seen with these illegal house parties and booze cans that have emerged in much larger numbers. I would add that, that over the years there has been a literal explosion of the proliferation of these types of establishments. They did exist during the time when we were the government, but there has been a proliferation of these things emerging, sprouting up all over the place. So it was actually very urgent for the government, and I think it acted with some degree of urgency, to deal with this matter.

While the government has chosen to deal with matters pertaining to after-hours clubs, I would like to point out that in my community people have had basic concerns about their safety, largely dealing with various incidents that have occurred, well publicized, in my community. I have sent out over the past number of months a survey asking residents a number of questions pertaining to safety in our local community, and there has been an overwhelming response. I would like to share with members of the House that over 700 residents have written to me in response to this survey to express their very real concerns about the lack of safety in their communities.

That is unprecedented for my community. I have over the years surveyed residents, and never before has there been such a great expression of concern as there has been over the last year. I think this past year has galvanized public opinion around the issue of safety in the neighbourhood. There was always a question about safety and security in neighbourhoods, but I have never seen the reaction we are now witnessing on the part of many of my constituents with regard to safety in their neighbourhoods.

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I would like to share with the House some of the responses I received. First of all, dealing with after-hours clubs, it's very clear there are many people who have written to me who have simply said, "Shut down all after-hours clubs."

This is from one person: "Please close down all after-hours clubs and extend hours in the legal drinking places. This way police can keep better control. We must stop the violence that is happening in our city." There are a variety of opinions here with respect to what should be done. These are just a few. "Keep after-hours clubs eliminated in our district."

Obviously, people are talking about after-hours clubs in respect of their close proximity to residential neighbourhoods. A well-documented, well-publicized incident at Tae's International led, I believe, to the galvanizing of public opinion around this issue and I think prompted all of us to take the action that has resulted in this legislation. The shooting that took place at Tae's International touched people in a very profound way and spoke to their very real fears about the violence that is committed on the premises or off premises with after-hours clubs.

I think the very real fear people felt around that incident was precisely because Tae's International was in a residential neighbourhood. It's not a commercial street on Dufferin Street, but no less than 15 metres away sit residential streets, 15 metres away there are neighbours

who live there, the first home. There are residential streets surrounding the entire after-hours club.

People came to a public meeting where various people spoke to tell us their very real fears—and I have to pass this along, because people were literally breaking up with emotion at the way they felt—how their community had been overrun by acts of violence and criminality. They literally broke down at the meeting and began to cry, to express their concern about what was unfolding in their communities. Their communities had been taken over by these acts of violence, literally in their backyard. I say we cannot ignore the plight of those people, the very real fear they felt. It's very discomfoting.

As legislators, if we fail to provide security and safety for people who live in our residential neighbourhoods, I think we have done a great disservice to the people we represent. We have essentially abrogated our responsibility. We have let down those very real people in our communities, all the people we represent and even our own families. We will let them down if we fail to act, not just quibble with each other over what has to be done with respect to the semantics or the nuances of the legislation.

Everyone has to realize that we have to err on the side of caution. Indeed, the credit I give to this legislation is because it attempts to do that. I will give credit when credit is due, and I'm giving credit to the government for having brought in this piece of legislation in the manner in which it did, but I also would add that more needs to be done to ensure the safety of our communities.

I have been dealing with problems of violence and problems that pertain to drug dealing etc which permeate a number of residential communities in our neighbourhoods. Obviously, it's not an easy problem, but we have to keep vigilant about this. We have to continue to endure the onslaught that each and every day we face in terms of criticism about the lack of funding for policing. I do believe there is a lack of funding for the kind of policing that needs to be done in our communities to make them safer places to live.

People in this survey made it clear that they wanted a greater police presence. I would just share this with you. One person wrote in and said: "I do believe in the presence of police on foot. Get to know the people, teenagers. Provide activities for youth, places to go, so there is less reason to hang out."

"More police protection. No more budget cuts. Police are overworked already." Those are some of the sentiments.

Gun control, for example: "Stiffer sentences for criminals." I believe the federal government has taken the right course of action with tougher gun control laws. I very much support that, particularly in urban areas where I do not understand the need for handguns, why we have to have handguns available to people. For legal uses, I simply cannot understand why handguns are necessary. I can appreciate why hunting rifles would be something people would appreciate having to carry out their recreational activities. But handguns to be used on the firing range—while there is an argument to be made for that, I believe they lead to unnecessary danger for citizens.

Perhaps the registration of those firearms would go a long way, in the short term and in the long term, to solving some of those problems.

I simply say that at the end of the day this piece of legislation does do some good things. Furthermore, before I end my remarks I would like to comment on the position of my Conservative friends, because the member for Willowdale went on at some length to try and put the position of the Liberal Party with his interpretation, in the context of what he had to say. What has me miffed a bit about the Conservative position is simply this: The member for Willowdale called for the extension of hours so that bars can be licensed beyond what is 1 am now and suggested that this would solve the problem of illegal booze cans.

I don't believe that for an instant, because these establishments spring up illegally precisely because these establishments can operate in an illegal fashion without having to go through the requirements of the regulations that are in place. It is precisely to get around those regulations and the licensing aspects of what's in place now that these illegal booze cans are established. So by simply extending legal drinking hours, you're not going to eliminate illegal booze cans. I cannot understand how you come to that conclusion, I really don't.

It is the kind of measures in this bill, which the police have suggested are very much needed, to go in and close down illegal booze cans, confiscating the liquor that's there, taking away the proceeds from the sale of liquor and other equipment on the premises, the police being able to do that in an instant, that is the key to effectively shutting down illegal booze cans. The police have suggested this, and I happen to agree with them.

So I cannot understand my Conservative friend's position suggesting that the extension of legal drinking hours would eliminate the problem of illegal booze cans. I cannot agree with that, and I an illogical conclusion has been reached by my colleague the member for Willowdale.

I would suggest that we will support this legislation when it is in committee tomorrow. I look forward to the hearings. There are some other concerns that have been expressed by the Ontario Chamber of Commerce, the Ontario Restaurant Association. Their concern is that there will be a patchwork of municipal regulations and that the broad powers given to municipalities will result in legitimate business owners being dragged needlessly through the courts to defend their right to operate.

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With respect to these establishments that are open long hours, I think there is a need, as I said from the beginning, to err on the side of caution. But apart from that, I believe some of these stringent requirements already exist in the Liquor Licence Act and the Employment Agencies Act for business people having to go through these very stringent requirements in order to be licensed.

I don't believe there is much in this legislation that is much more stringent than what already exists, so at the end of the day, because of the violent incidents that have occurred, because of the dangerous nature of these

establishments operating late at night, we have to err on the side of caution. I say that because it's in the interests of the community at large. It's in the interests of my constituents, who fear for their very lives, who have seen these establishments spring up right in their backyards, literally in their backyards, and have no way to defend themselves at 2 or 3 in the morning when people are carrying on in a fashion that would lead to dangerous results, as we have seen in the number of incidents that have occurred leading to random acts of violence and very real acts of criminality that have occurred in some of these establishments.

I say it's time to close those places down if they have been deemed to be dangerous. Giving the police powers to do that and municipalities the powers to regulate and limit their hours I think is the right way to go, so I will be supporting this legislation, along with my colleagues.

The Acting Speaker: Now we have questions or comments to the member.

Mr Mammoliti: I want to touch briefly on one of his latter comments, that being him not wanting any part of the possibility that we should give the authority to open up later to established, liquor licensed bars. I think that's what I heard the member saying. If that was what he was saying, perhaps before he closes his mind on this he should consider, as many of us have, looking at opening them up temporarily. I would certainly want to look at that, for a number of reasons.

After speaking to many of the individuals who go to these after-hours clubs, one of the reasons I would look at it is for the reason of shutting them down to begin with. If you look at the clientele and the reasoning behind individuals going to after-hours clubs, you'll understand that if a licensed establishment, for example a bar, takes on a particular program that might attract some of the individuals who might be going to those types of bars, you will take away that clientele and you will end up getting rid of some of the after-hours clubs.

This is an issue that I think is worthwhile talking about. It's not something we should be rushing into; it's something we should be talking about. To say simply, "Forget about it; we shouldn't even be looking at it," and criticize other members for bringing up the discussion I think is wrong. Perhaps in his response the member can elaborate on what he actually meant.

Mr Eddy: The member for Lawrence is very clear that this party supports this very important bill and the reasons for supporting it. He's outlined the concern of the citizens of his riding and indeed citizens across Ontario about the loss of their safe communities and the urgent need for citizens to take back their communities and to restore safety in them.

It's so very important, and anything that can be done in that regard is important and is needed. Certainly, it should've been done sooner. Successive governments should have accepted the challenge and there should've been an ongoing tightening of the situation so that these things couldn't continue to grow and fester and become worse and destroy many of our communities.

It's a very sad thing that's happened in the commun-

ities across Ontario in what were considered safe communities. It is so bad that even where I live in the wilds of South Dumfries, there was a drug deal that went bad and a murder a few rods from my home, if you can imagine. So it's across Ontario, the violence and the crime that's happening that needs to be faced.

This concern about police services being equipped to handle it is a very genuine concern, and indeed if it's going to cost more money to do the job, it's a priority situation that must be faced and we must get on with it. We're not delaying the bill in any way. We have a bit of time to discuss it, and it's important that we work together on this occasion, and certainly we are prepared to do that.

The Acting Speaker: Are there any further questions or comments? Seeing none, the member for Lawrence has two minutes to respond.

Mr Cordiano: I want to comment very briefly on what was asked of me by the member for Yorkview with respect to extended hours. I simply said that I did not believe my colleague's view that extending legal drinking hours to regulated licensed establishments will lead to shutting down or closing or effectively eliminating illegal booze cans.

My point is simply that these illegal booze cans operate illegally and for that very reason have no regard for the law. Simply as a result of that, they'll continue to exist if we do not tackle the problem at the root cause, or at least give the powers to the police and municipalities to have greater authority to go in and close down a place that is operating illegally. That is really a matter for enforcement, and I do believe the police have been given the teeth to deal with that in this legislation.

Although this is a piece of legislation that deals with after-hours clubs and the need to regulate or limit hours and the authority granted to police to deal with certain problems specific to this piece of legislation, safety and security in our communities cannot be underestimated. We need additional measures on the part of this government to ensure that people are safer in their communities. I don't have time to read a very poignant letter that was sent to me by one of my constituents, but when I read some of these things, people lament the fact that they've lost their own sense of comfort and security in their neighbourhoods.

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The Acting Speaker: Thank you for your comments. Now we are looking for further debate on Bill 198. The member for Leeds-Grenville.

Hon Ms Churley: Now, Bob, be nice.

Mr Runciman: I'm going to heed the advice of the Minister of Consumer and Commercial Relations and attempt to be very nice this evening.

Ms Sharon Murdock (Sudbury): Oh, that's scary.

Mr Runciman: That is scary.

I've been reminded by my colleague Mr Turnbull, the member for York Mills, that we've indicated we're supportive of this legislation, but I want to say that it's not without some degree of reservation.

We have a letter I think all members of the Legislature received from the Ontario Restaurant Association, outlining its concerns. I want to put a few of those on the record. I'm quoting from the first page of the submission to members. They expressed their concern specifically that "We are concerned with the implementation of the proposed legislation and the requirements and possible effects it will have on legitimate and law-abiding small business operators."

They go on to say, "While Bill 198 is intended to address the issue of illegal after-hours clubs and legal clubs in which illegal activities are occurring, it instead has its focus on legally run businesses and will have far broader ramifications, and we fear this legislation will hurt the good guys and continue to ignore the bad guys." I know the minister responsible for this legislation is in the chamber tonight and perhaps he can respond to that concern.

Hon Mr Philip: I spoke already.

Mr Runciman: I'm sorry if I missed that, and hopefully we'll have some more discussion of it in committee tomorrow. Certainly those concerns are worth further discussion. The Ontario Restaurant Association is a responsible organization which has made a number of constructive recommendations.

The member for Yorkview was commenting just a few minutes ago about the recommendation they make in respect to a six-month trial period for the adoption of extended hours for the operation of outlets selling beer and alcohol in this province. I want to concur with what he said and contrast that with what the Liberal member indicated was his party's strong opposition to that. I think that proposal is worthy of a trial period to see what impact it has, not only in terms of the operation of illegal booze cans and after-hours clubs but also in a host of other areas: in terms of impaired driving, utilization of transit systems, the increased crime of a minor nature in the streets in communities, noise levels—those things that cause concerns for residents in most communities when you talk about extension of drinking hours.

I think a six-month trial is a legitimate proposal to make and will give us all an opportunity to measure the impact, be it negative or positive. Perhaps the most positive impact that could be achieved is the one suggested by the Ontario Restaurant Association in terms of eliminating the viability of many of these illegal booze can operations which are transient in nature, moving on a nightly or weekly basis to various locales for operation.

Of course, the problem with this legislation and with the whole question of illegal booze cans is one of enforcement, and we've raised this issue on a number of occasions. I mentioned in the House the other day in response to the minister, just taking a look at the Metro police force alone, that its strength is down by—and we got this directly from the chief's office—600 men and women. They're having extreme difficulty carrying out the responsibilities that have been placed upon them now by the Criminal Code, municipal bylaws, provincial legislation, what have you, and they're operating at 600 bodies less than they should be in terms of requirements for manpower, and that's only in Metro.

We can take a look right across the province. In my area we have problems, and I know my colleague Noble Villeneuve from S-D-G & East Grenville has comparable problems, as have many people in rural Ontario especially, in respect to the availability of the Ontario Provincial Police. In district 10, which covers a good chunk of my riding and I think also those of the member for Lanark-Renfrew and the member for Renfrew North—I think district 10 extends into his riding as well—we have something like eight officers in the late-night hours covering an area which is something like 11,000 square miles, 275,000 people—eight officers, if you can imagine, required to cover that area. Obviously, they can't do the job. They can't do the job that Ontarians expect of them. They can't provide the safety and security that Ontarians have become accustomed to over the past 30, 40, 50 years in this province. Those are the kinds of meaningful questions we have to deal with.

I'm not going to be overly critical of this legislation brought in by the government, but let's face it, this is a modest measure and it's not going to have any real or meaningful impact on the levels of crime in this province. I said the Minister of Municipal Affairs, when he made his announcement about this legislation, was engaging in a gross exaggeration, to say the least, when he concluded his remarks by saying, "We're giving back the communities to the people who live in them." Anybody who believes that this legislation is giving back communities to the people who live in them is living in some kind of fantasy world. This is going to have a modest impact and will give police forces and other agencies, municipalities, some additional tools in order to come to grips with some of these problems, but it's not going to eradicate crime in any meaningful way.

It may have a modest impact in terms of eliminating a serious incident here, a serious incident there. The Solicitor General knows that's the case. When we're talking about real problems, real concerns of Ontarians in terms of the levels of crime, especially serious crime, especially crimes that result in bodily injury or death, those are the things this government and the predecessor Liberal government have failed to come to grips with.

I wasn't here earlier this evening when the Solicitor General, I gather, participated in the debate—I suspect it was the two-minute response to a Liberal speaker—and accused the Liberal Party of political gamesmanship. I may not be quoting him directly, but that was the general context of his comments that were relayed to me. In fact, he complimented our party in sort of an off-handed way that at least we've been consistent on these kinds of issues, and I want to thank him for that. That is indeed an accurate assessment of what we've attempted to do over many, many years.

I share his view that the Liberal Party has engaged in what is accurately described as political gamesmanship. When they see an issue that's rising in terms of poll stats as a concern of the Ontario public, all of a sudden they're on their feet expressing concern: On perhaps a daily or weekly basis the Liberal leader, Mrs McLeod, raises leader's questions on law-and-order issues. Of course, when we look at the record of the Liberal government

during its five years in office, it's something considerably less than supportive of police officers in this province and policing in general.

I want to put forward a few facts to remind our viewers of the Liberal record in respect to law-and-order issues. Some of us in this House will recall the Attorney General of the day, Mr Ian Scott. One of the things that stands out in my mind about Mr Scott and his view about policing was a situation in terms of Metro Toronto police and their frustration with dealing with drug dealers. We know that illicit drugs are the source of so many crimes in this province, in this country, worldwide, really.

This is a situation where Metro police officers were consistently arresting people for dealing in illicit drugs—heroin, cocaine, crack cocaine, you name it, very serious illicit drugs—who were doing untold damage to the young people in our province and our country and costing all of us millions upon millions of dollars.

The police publicly expressed their frustration with the revolving-door approach of the courts in this province, the fact that they spend thousand and thousands of dollars in terms of investigations, make an arrest, take these people to court, they're convicted, and they're out on the street within a matter of days or hours. These two police officers in question simply expressed their frustration to the media about this revolving system that was allowing this slime back out on to the streets of our province.

So what was the response of the Liberal Attorney General of the day, Mr Ian Scott? Was he supportive? Did he at least acknowledge the very legitimate concerns of these police officers and say: "Look, I sympathize with them. I'm going to do what is necessary, to direct through the crown offices that judges take a stronger position in dealing with drug dealers. I'm going to do what I can to encourage the federal government to bring in legislation, amendments to the Criminal Code, that may deal with these individuals in a stronger fashion"? No, none of those things.

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What did he do? He threatened those police officers. That was the Liberal Attorney General's response to the very valid concerns of police officers in Metropolitan Toronto. He threatened those police officers. If they dared to speak out in public again, he was going to put their jobs in jeopardy. That was the response of the Liberal Attorney General.

The Liberal Party stands up today and says: "We're concerned about increasing crime in this province. We're concerned about the youth in this province." Well, the record says something totally different.

Another example: Many of us who've been around this place for a few years can remember the shooting of Mr Wade Lawson in Peel region, an individual who was with another chap in a stolen car, who tried to run down two police officers in Peel region. A shot was fired and Mr Lawson unfortunately lost his life in a stolen car that attempted to drive down two Peel Regional Police officers.

I've been in this House for a long time and I don't recall a Liberal cabinet minister ever standing in his place

in this House and expressing concern about the death or injury of a police officer in this province. But do you want to know what happened with this individual, Mr Lawson? Two Liberal cabinet ministers, Mr Wong and Mr Curling, attended his funeral, the funeral of a man shot by police in a stolen car attempting to run down two Peel Regional Police officers. Two Liberal cabinet ministers attended that funeral. What kind of message does that send out to police officers right across this province? Not a very happy one, not a very encouraging one.

Now that they're in opposition, now that it's a rising issue in the polls, the Liberals all of a sudden have grave concerns about law and order in this province and are showing all kinds of support for policing—but when in government, a totally different situation.

We simply have to talk about some of their responses. Who created the SIU in this province, which has created all sorts of problems? Again, the Liberal government in its five-year period in office. The special investigations unit has caused so much grief for police officers in this province, so much incompetence and so much grief for the policeman and policewoman on the street, anyone who has been through that drill and been left hanging, swinging in limbo for years because of the incompetence of the special investigations unit created by the Liberal government between 1985 and 1990.

Who appointed Susan Eng to the Metropolitan Toronto Police Force? Who appointed Ms Susan Eng?

Hon Ms Churley: Now, Bob.

Mr Eddy: Let him go. Let him blow it off.

Mr Runciman: Ms Susan Eng—the Liberal member seems to think that's something to boast about. Well, I don't think so. If you look at all the conflict we've had on the Metropolitan Toronto Police Services Board in the past number of years, a lot of that could have been avoided. I don't lay it all on the doorstep of Ms Eng, but certainly she was a significant contributor to all the problems that Metro Toronto police services have experienced.

If you don't believe me, talk to the cop on the beat, talk to the person who has to go out there and work every day, with the dangers that police officers face in Metropolitan Toronto, and ask for their opinion of Ms Eng. She came before one of the standing committees when she had her reappointment and I had an opportunity to talk to her. She'd been in office for some several years at that point and had never taken the opportunity to drive with a police officer in any of the very difficult divisions in this city—52 division, for example—where these people are facing pretty significant dangers on a very regular basis.

I suggested to her: "After several years as a member of the police services board, you couldn't find the time to spend one or two evenings to drive around with these people, to find out the kinds of experiences they are facing on a daily basis? How can you make judgements? How can you make decisions affecting their lives, without having even a modicum of experience in terms of the challenges they face on an everyday basis?"

She didn't have an adequate answer for that, and she

usually doesn't have adequate answers in terms of the way she deals with police officers and policing in this province. If the Liberal Party wants to get up and defend that, fine and dandy. I have no problem with staking out my position in respect to Ms Eng. I think we need people serving on the police services board who are more interested in recognizing not only the concerns of the community and not only the concerns of special interests in the community but the broader public good in terms of public safety and the real challenges that police officers face on a very regular basis.

Getting back to the Liberal record, I want to talk specifically about this legislation as it relates to the Liberal record. This was raised as well by my colleague Mr Harnick, the member for Willowdale, and I think it's a relevant point. Perhaps I'm taking after the Liberals a little more than usual, but I think their political opportunism on this issue is worth drawing to the attention of the House and perhaps any members of the public who are viewing this.

In 1987, there was a very extensive study carried out looking at liquor legislation in this province. The Liberal member for Mississauga North, Mr Steven Offer, chaired that commission. I stand to be corrected—I'm drawing on memory; this is seven years ago now—but I was the critic for Consumer and Commercial Relations at the time and I believe Mr Offer was the parliamentary assistant to the Minister of Consumer and Commercial Relations. That's why he was given the assignment to chair this commission, taking a look at a whole range of issues related to liquor licensing, special-occasion permits, you name it.

Perhaps the current Minister of Consumer and Commercial Relations will want to respond to this as well, but part of that commission report dealt with these booze cans, these illegal operations, the after-hours clubs, and made some specific recommendations. This is seven years ago, two years into the Liberal mandate, and the Liberal government of the day did not act upon the recommendations of its own member, Mr Offer.

Again this points out the irony—and I'll be polite and use the word "irony"—of the Liberal position in respect to this issue, where we have the Liberal leader, the member for Fort William, getting up on a number of occasions in this House and demanding that this kind of legislation be brought forward and having a very selective memory in respect to the record of her own party and the recommendations of her own colleague dealing with this very same issue.

I simply wanted to take this opportunity this evening to make sure that members of this assembly were reminded of the position that Liberals have taken in the past in respect to all sorts of issues related to law and order, community safety, public safety and more specifically with respect to the regulation of after-hours clubs.

The House is going to adjourn, prorogue, in three days. I'm not known for saying good things about government members on too many occasions, but I want to take this opportunity in terms of this legislation to compliment the Solicitor General. I think we've had three or four solicitors general over the past four and a half years while the

NDP has been in power, and I want to say that he has perhaps—I'll remove the word "perhaps"—been the most competent and effective Solicitor General this House has seen in the past nine, nine and a half years.

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I said during a media interview the other week that he and I have had some pretty heated debates in this House on occasion, but that has never diminished my respect for the job he's done. I think it's especially difficult given the ideological bent of many of his colleagues around the cabinet table. I think some of the initiatives he's brought forward, although modest in nature like this one—although the Minister of Municipal Affairs is carrying this, I'm sure the SG had some role to play here—and the ammunition bill—

Hon Ms Churley: Hey, what about me, Bob? What about me?

Mr Runciman: I like you too. There must be an election coming.

I simply wanted to put on the record that I think he's done an effective job, and I know it's a challenging one, especially challenging because of people like the member for Nickel Belt.

In any event, I want to conclude my remarks with those favourable notes about the Solicitor General. I wish him well with whatever the future holds, because we may not have this opportunity again to say this sort of thing.

The Deputy Speaker: Questions or comments?

Hon Floyd Laughren (Deputy Premier and Minister of Finance): I was not going to enter the debate, and I even thought twice about it, given the rather jocular ending of the comments of the member for Leeds-Grenville. But I must say I was disappointed in his earlier remarks and what one could read into them, about concern by all members of this assembly when someone gets killed, whether it's a policeman or whether it's someone else. I found that truly regrettable. I don't think there is a single member of this Legislature from any party who feels any differently about security of persons in our society. I don't know of any and I don't think anyone's got the upper hand in that regard.

I do know, however, that when there is a lot of concern out there in the community at large about security and about personal safety, there are those who will exploit that. I regret that and I expect that will happen. It's become clear in this session that the Conservative caucus appears ready to do that, and I regret that very much, because I certainly have not met any member of the Legislature, either now or in previous years, who didn't feel as concerned as any other member about personal security and about the lives of policemen as they go about their very difficult, and in some cases very dangerous, task.

So I regret very much that the member for Leeds-Grenville has seen fit to cast his remarks in such a way that actually does cast aspersions—well, they certainly did. His comments about the shooting of Mr Lawson certainly had me squirming in my seat just listening to those remarks. I don't normally squirm when it comes to partisan debate, because I enjoy the cut and thrust of

partisan debate, but I just found they went a little beyond the pale.

Mr Sean G. Conway (Renfrew North): I've had a long day. I didn't intend to enter this debate, and like the Minister of Finance, I rise more in sorrow than in anger. But I do feel, on behalf of my colleagues present and past, that I have to say something about the tenor of the remarks just made by the member for Leeds-Grenville.

I have to say that people like David Peterson, Ian Scott, Joan Smith, as the Minister of Finance said, like all members of the Legislature, irrespective of their party politics, in my experience over 20 years, each and every one of those members has shown a sympathy, a concern, due regard not just for police officers and other peace officers but certainly for victims of violent and other kinds of crime.

I do not think it behooves any of us to cast the kind of aspersions we heard 15 or 20 minutes ago. I do not find it in any way edifies or advances the important work we all have to do here tonight.

I want to say on behalf of my colleagues how deeply disappointed I was to hear my colleague from eastern Ontario, the member for Leeds-Grenville, make some of the comments he made. Upon reflection, he might want to perhaps withdraw some of the comments and certainly some of the implications that were contained therein.

Mr Tilson: I'd like to congratulate the member for Leeds-Grenville, who is the critic for the Conservative Party with respect to the Solicitor General, and I too echo his support of the Solicitor General in looking at what he has done since he has taken office. As to this particular bill, although we do criticize it, generally speaking we will be supporting this piece of legislation, and we congratulate him for the response he's had to a very difficult situation.

I must say, I do support the member for Leeds-Grenville with respect to his cynicism about the Liberal Party. They had an opportunity, going back as far as the Offer report, which was in 1987, I believe; they did have that opportunity. Lyn McLeod, the leader of the official opposition, who was a member of the cabinet at that time, had the Offer report, which made certain recommendations, and yet the Liberal cabinet chose to do nothing. That's something the member for Leeds-Grenville was certainly trying to put forward.

He has also talked about the problem we have with respect to this whole issue, which is one of enforcement and not regulation. Although we do congratulate the Solicitor General and the ministers of Consumer and Commercial Relations and Municipal Affairs, all three ministers, for their part in this bill, I think he is correct that the problem is enforcement and that the bulk of this legislation seems to be on regulation. He has emphasized time and time again in this House that the problem is very few police officers to cover the province and to provide the security we need, yet that issue seems to continue to be ignored: the injection of funds to bring up the police that are needed to cover a concern that the people in this province have, which is the security of this province. So I congratulate the member for Leeds-Grenville with respect to his comments.

The Deputy Speaker: Further questions or comments? If not, the member for Leeds-Grenville.

Mr Runciman: I have no apologies for the comments I made earlier. I think they were quite valid and still hold true.

I understand in some respect where the Minister of Finance is coming from. I was very critical of one of his colleagues following the shooting death of Constable Joe MacDonald of the Sudbury police force and I made those comments in the House in a very emotional way. People who have been around this place know that I tend to get emotional when we're dealing with these kinds of issues, especially when a police officer's life has been lost. I was critical of one of the members from Sudbury for getting up and making a statement in the House following the death which was in no way related to the tragic death of Joe MacDonald; it was related to a very trivial matter. I know the minister was somewhat upset by that, but I think he also has to appreciate my genuine concern about what occurred and the emotion I felt at the time.

In respect to the Liberal cabinet ministers attending the funeral of a man who had been shot by police in a stolen car, I make no apologies about drawing that to the attention of the House and the public. It's an unbelievable situation where those Liberal cabinet ministers, for I think purely political reasons, attended that funeral. I wasn't chastising individuals of this House about their concerns about policing and the dangers police face but the political crassness of that move and the message it sent out to police officers right across this province.

The member for Renfrew North was chastising me, but I only have to remind him of the speech he gave in this House some months ago, which was perhaps one of the nastiest pieces of business I've ever witnessed, related to the Conservative Party and our position in the by-election in Victoria-Haliburton.

The Deputy Speaker: Any further debate?

Mr Mammoliti: I too would like to take the opportunity to thank, in this particular case, my boss. It's not because I'm his parliamentary assistant, but because I really believe he is, if not one of the best, probably the best Solicitor General who has taken office in terms of how he deals with problems as they come up. For me, it's important to mention that because he does take issues on when they come up and tries to deal with them in an effective way. In this particular case, the ministers of Consumer and Commercial Relations and Municipal Affairs both have done that as well, and I would like to thank all three of them for dealing with this effectively.

The reason I want to talk about the legislation is because it has been an ongoing issue in Yorkview, my riding, for quite some time now. The issue of after-hours clubs in and around Yorkview has been a nightmare for some. There are currently about seven or eight establishments that open up on a regular basis and that do pose a problem in the community for not only the police but the community, obviously, and the problems that might come out of it.

2130

One of the ways I've tried to familiarize myself over

the last little while with the problem is by taking a ride with a police cruiser. At about midnight one night I decided to take a shift with a couple of officers. During the night we encountered a lot and I learned a lot about what our police people experience in Yorkview, the types of incidents they deal with on a regular basis and of course the after-hours clubs and what those mean to them. Along with witnessing that, I saw an attitude from the police department that was not only professional in the way they deal with problems as they come up, but they also had a number of recommendations for me as their local member. They were not shy about talking to me over the course of the night about some of the problems they would have liked to see resolved in the way of after-hours clubs as well as other things that had come up.

Together with 31 division and Inspector Griffiths at 31 division, we called a meeting with not only a number of foot patrol officers and some of the other officers who have been assigned the duties of going into these after-hours clubs and dealing with some of the problems that might arise during the night in these places, but also the owners of some of the bars in the area and the owners of some of the nightclubs that might be considered by some as the after-hours clubs that we're debating here tonight. We met a few months ago and we talked a little bit about what our community wants and what our community would like to see as a solution to the problem that exists. During the round table discussion with all, we came to, believe it or not, a number of agreements that they asked me to bring to the attention of the government.

Some of those issues would include a number of things we've already tackled, and I'll get into them in a second. But one of the issues that the community still feels is a problem is defining what an after-hours club is: What is an after-hours club? Some members have talked a little bit about some operations being lumped into it and feeling like they are going to suffer with this legislation. That is the sentiment. It's a feeling within Yorkview that some of the owners of the bars and some of the owners of the establishments have. They don't believe they're an after-hours club, even though they are open after 1 o'clock and serve the juices that somebody else had been talking about. They don't believe they should be lumped into that category because they believe a booze can is a place that opens up as a fly-by-night establishment, that applies for the permits on a regular basis, every weekend, perhaps changes its location. And who gets blamed, of course, but the other organizations, like some in Yorkview, that decide to open up because they attract a certain clientele who like to dance and because they like to play a particular type of song or music that people could dance to?

They had asked me very clearly to come here in the Legislature to bring forward the fact that a definition needs to be established in the minds of not only us as legislators but the constituents out there as well. While I know we're working on that, I'm not sure we're actually there in terms of a definition. That's something that I really needed to bring up today and that I hope we can talk about at a later date.

Of course a number of other issues came up in that meeting. One issue I've already mentioned is the fly-by-nighters who just decide to take out a special-occasion permit. The main issue at the meeting was the fact that anybody can get one. There is a feeling out there—anyway, the individuals who were with me that day felt—that anybody could apply for and receive a special-occasion permit for anywhere. They wanted us to get a little tougher with that. I see that in this legislation, I see us dealing with that problem that has come out in Yorkview. I'm glad we have dealt with that in this bill.

One of the others of course is fines. They felt it's important for us to talk about trying to deter people from applying for these permits if their intentions aren't that great. The way to do that is to charge a little more for the permits. This was brought up consistently by everybody at the meeting. Again this piece of legislation deals with that, and I'm glad to see that.

The police brought up a number of concerns. One of the most important ones, and somebody touched on it earlier, was the fact that they couldn't just go into an establishment and deal with a problem if they believed there was one. This legislation allows them to do that through a warrant. It allows them to get in there. One of the recommendations at that meeting was to establish a better process to allow the police department to go in when it feels there's a problem, to make it a little easier. Again, I think we've dealt with most of that concern in this legislation.

A very important component to this that I haven't heard yet, a very positive component, and this is another item the police department brought up, is that after the legislation gets passed, an individual can't just go to another area of the city or the province to apply for a special-occasion permit. Now they have to apply within their community. What that means to the police department is that they, believe it or not, have some control as to who gets a special-occasion permit.

In the past, individuals who have for one reason or another not been accepted at the local branch in getting their special-occasion permits could have gone somewhere else where they are not known, where they are not known by the police department, where they are not known by anybody else, and probably have received a special-occasion permit for the community they wanted to go into. Of course, the police department had no say. There was no way for them to prevent it by talking to somebody, or of knowing, for that matter, that somebody was in the process of doing that.

Now, this particular provision in the act would mean the police department could actually keep tabs, in a sense, on who's applying and who isn't. If they want to give their opinion on whether somebody should or shouldn't be accepted, that is a step we should all be grateful for. I think we can all see the benefits this could actually have in terms of alleviating problems within the community and ongoing problems with individuals. That, for us in Yorkview, is important.

Earlier I made some comments and I just want to reflect on those comments somewhat, because some members will agree with me and some members won't,

both on this side and of course in the opposition.

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One of the things talked about at the round table discussion in my particular neck of the woods was to consider a pilot program, a six- or seven-month pilot program, to allow bars to serve liquor a little longer. Some will advocate and will argue that there's no way we should be doing this, that we shouldn't even be talking about it.

There are others who talk a little about how that will alleviate some of the problems in the booze cans. I think all of us agree that the booze cans are a problem and perhaps we need to find a way of weeding them out. Many believe that if you take the clientele who usually go to the booze cans and perhaps incorporate a program, or two or three programs within a community, in a well-run, well-established bar, allow them to open up a bit later so that clientele might come into their establishment, you will get away from many of the problems that exist in the booze cans.

In the booze cans they have no idea, for instance, how many people are going to show up for their event that weekend or that night. If you talk to some of these owners, they will say they have distributed flyers everywhere, they have taken out ads in every paper, and there are 600, 700, 800, 900 people showing up at their door. They have no idea how to take care of a problem when it arises. I'm sure all of you can put yourself in that situation where there are 800 or 900 people in a particular room that's probably licensed for 200 or 300, or 400 in a lot of the cases: A fight breaks out or a problem breaks out and it's just chaos. There is no way of dealing with it because they're not equipped to deal with it. They are not professional people who have the means or the ways of dealing with it.

The argument that some people will give us is, attract some of that clientele, if not most of that clientele, into a number of different bars within the community and get rid of the problem that exists in booze cans. I think we need to be thinking about that, we need to be giving it a chance and we need to start debating it. In clause-by-clause I think we need to be talking about that as well, bringing that out into the open and talking a little about that. I think that's important.

Music plays a role in why people go to the booze cans. What are the reasons? These are questions I have asked in my community, and I have talked to a number of owners of these establishments. Why do people go to the bars and why do people go to the booze cans? In a lot of the cases, the reason they go to the booze cans is because they like the music, they like the atmosphere, they like the type of clientele that's there. In a lot of cases, culture might even have a role to play in this.

Speaking to some of the bar owners and asking them, "If given the opportunity to sell booze longer, would you incorporate a program to attract some of the clientele that currently exists in some of the booze cans?" the answer is yes. Chances are—and these are experts—that the person who goes for a beer or goes to have a drink in a normal bar or a restaurant will not be the same clientele who stay after 1 o'clock; that the clientele booze cans

attract and that bars would probably attract are a different type of person altogether. What they have told me is that, yes, in order to make a profit and in order to make sure that there are enough people to generate a profit, they would incorporate a program within their facility that would attract that type of clientele.

So I say let's not close the debate on that, because I think we need to be talking about it. Let's not do what the Liberals are saying and say: "Let's close it off. I don't want to talk about it. I don't believe in it. We shouldn't be doing it." I think we need to be talking about it in the context of some of the problems that exist and alleviating and getting rid of some of the problems that exist with these booze cans. Yes, if we can close them down, I'd be an advocate of that as well. I think that's one step that might work.

In wrapping up, it's important to mention that I don't see eye to eye with the Conservative ideology. I don't believe we should have a police officer on every corner. I don't think they're prepared to tell us how we're going to pay for it. On one hand, they talk about it, and they're great at doing that, but on the other hand, in the Legislature every day they're saying we should be cutting and we should be slashing and we should be burning. None of the speeches in tonight's debate have talked about how the Conservatives would pay for a police officer on every corner, so I don't agree with that.

I think it's important for me to mention that in the United States they spend more on prisons than education and the social services. I would ask the Conservatives to think about their concept and about their ideology and figure out how that would play in reference to and in looking at what the United States has to offer in terms of crime. If you want to compare crime statistics and problems that occur in the United States, we are safe and we are a far cry from what they're experiencing there. So for me, to accept that argument is wrong.

I think I should close with that, Mr Speaker, because I know we need to get on to other bills in the House.

The Deputy Speaker: Are there any questions or comments? No questions, no comments? Any further debate?

Mr Eddy: I'll just take a few minutes because I wouldn't want to be accused tonight of political opportunism, although I'm certainly learning a lot about it from the seats to my left here.

I just wanted to clarify a point. When the member for Lawrence was speaking, he said very specifically that he was not opposed to extending legal drinking hours. That is a completely separate matter, we feel, from the matter of solving the problem of illegal booze cans. There may be some members who see that differently, but we haven't taken a stand on the matter of extended legal drinking hours. I don't think they're connected because I don't think it would be the same people involved.

I'll speak very briefly because it's important to get on with this bill and, as you know, our speakers have all supported it. The member for Lawrence, the member for St George-St David and now myself have all spoken in favour of the bill and we want to get on with it.

There is a concern about enforcement, and it has been mentioned by several speakers, the matter of enforcement in rural areas, in areas served by the OPP, because of reduction. I think that's a legitimate concern, and although some members may accuse anyone who speaks that way of wanting to spend more money, I think it's a matter of priorities. Law and order is very important. The safety of citizens is paramount to these members here and to the citizens themselves. You hear about it in most communities in which you travel, the concern for law and order and the vandalism etc that goes on. There needs to be a very strong push for law and order in our municipalities across this province.

2150

This bill, although it's been stated will not give the communities back to the citizens, certainly in some areas is going to almost do that. If you live in an area or in a neighbourhood near one of the illegal booze cans or the after-hours clubs, with what has been going on in some of them and outside some of them, as in the case of the recent shooting in front of an after-hours club in London, Ontario, you certainly feel and notice the difference and the deterioration of law and order in our society, and it's a very deep concern.

With those few words, I support the bill. Indeed, we need to get on with it and take the next steps in the next very few days, our last days before Christmas, to see that this bill is passed.

The Deputy Speaker: Questions or comments? If not, further debate?

Mr Tilson: As I've indicated in a couple of the responses I've had to previous speakers, I think our party will be supporting this legislation.

Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs): Good. Thank you very much.

Mr Tilson: I'm glad you thank me very much for that support, although I will say, as I have in the past, that the bill doesn't go far enough. We do need further support for the police in this province, we need further support to make this piece of legislation work, and the way it is being set up now, it's doubtful that it will.

At the same time, we certainly congratulate the various ministers for the work they have done in responding to this piece of legislation. This legislation was, as we know, as the member for Fort York indicated, brought forward to this House in June of this year. Mr Marchese introduced his bill, Bill 180, for first reading, and Bill 180 was intended to give the Metro Licensing Commission the authority to issue, suspend, revoke or impose conditions on a licence if it believed the licensee will not carry on business in accordance with the law. One condition would be hours of business.

To give the member for Fort York his credit, it was as a reaction to after-hours clubs, which were certainly popular in urban areas for late-night partyers who would like to socialize and dance past the hours of operation for bars. These have been described as booze cans, after-hours clubs that sell liquor illegally.

Then in October we had the tragic deaths as a result of

shootings in after-hours clubs or booze cans in the province, one specifically in North York and one in London. I might comment that at that time, the Leader of the Opposition, Lyn McLeod, in her usual attempt to score political points off personal tragedy, stood in the House in November 1994 and asked the Premier for legislation to regulate booze cans.

Mr Eddy: There must be an election coming. They are getting dirty like they usually do.

Mr Tilson: That's not true. We are simply stating the way you've conducted yourself in the past. When you were in power, the Offer report made certain recommendations and you ignored that. The Leader of the Opposition had an opportunity to take action when she was in power and she chose not to. Now she's coming along and asking the Minister of Municipal Affairs what he's doing, and of course on November 24 he introduced this bill which incorporated Bill 180 and stated that the government is giving back communities to the people who live there.

The bill amends two pieces of legislation, basically: the Municipal Act and the Liquor Licence Act. We've gone through some of those things, and I guess I would like to repeat some of the comments I made with respect to those two pieces of legislation.

They do add more regulation. The Municipal Act of course gives the municipalities power to do certain further things. The Liquor Licence Act is amended to allow the police officers to do certain things. This is going to require funding. It's going to require funding for the municipalities for further bureaucracy, and I don't know whether the government's going to assist the municipalities, the regional municipalities specifically, in taking this on. I have heard no information from the Solicitor General about whether additional assistance is going to be given to the Ontario Provincial Police force with respect to their enforcing this piece of legislation. It's a wonderful thing to set forth this bill and the pieces of legislation, but it's quite another thing to enforce it. It will be interesting to see whether the police will be able to do that with the personpower they have.

There has been certain cynicism specifically with respect to the RIDE program. That's been a program we have supported on all sides of this House, yet there are many municipalities—I have one in my riding—where they're saying insufficient funding has been given by the province to enable them to operate the RIDE program. It may be operated, but not in the fashion and in the way it should. Generally, the Ontario Provincial Police are doing it, but the smaller municipalities are having a great deal of difficulty.

Again that's an example where you set up regulations or laws—and that's a fine thing, and I laud specifically the Solicitor General for his part in this, although it's Municipal Affairs that is carrying the bill—but at the same time you do have to have police officers to enforce these things. That's been one of the major issues in this province: law and order.

I've commented on how Mr Runciman, the member for Leeds-Grenville, has several times chided the Solicitor General to enforce laws, to provide the tools to the police

officers to do certain things. I know what you're saying, that there's a difficulty of funding, but there is a priority when we have these tragedies, two tragedies in London and in North York, and our reaction is this bill. I don't mean it like that, because I'm sure it has been in the works for much longer than that.

I won't go through outlining the various amendments of the Municipal Act and the Liquor Licence Act. I hope all parties support those amendments.

The Solicitor General, the Minister of Consumer and Commercial Relations and the Minister of Municipal Affairs had a news conference on the morning of its first reading, and all three of you agreed that the legislation would help to increase community safety and battle the problem of illegal booze cans, and I'm sure that's the general intent of your legislation. The Minister of Municipal Affairs said that the government acted quickly to bring in the legislation, although Michael Thomas—I'm sure he knows who he is—of the Downtown East Residents' Association said they proposed this legislation back in September 1990. It's something you've acted on, but you could have acted much sooner; you've chosen to wait until now, after two unfortunate tragedies, to take that step.

The Solicitor General said in his comments that it would be nice if the government could give a blank cheque to get more police officers and other such things, but he said that was impossible and that this legislation would give the police officers more power to use their authority and not their force. I get back to that: The major concern of enforcement is that if you don't have the bodies, the police officers and the equipment—I think the Ontario Restaurant Association has made a draft submission to most members of this House talking about the equipment that's needed with respect to assisting police officers and those who are issuing the licences to check on past records of people who have been making applications, that that is a difficult thing to process. If that funding is not made available, which is the second part of the equation, the problem is still going to continue.

The position of the Progressive Conservative Party, as has been stated by the member for Willowdale, is that we've been concentrating on the enforcement issue, almost pleading with you to take more action on the enforcement issue, not just in terms of this particular issue but all issues of law and order around this province, the tools the police and liquor inspectors need. We need the resources for them to do the work you want them to do under this piece of legislation.

2200

I must return to the issue that the Liberal Party in particular was almost urging the Minister of Municipal Affairs to take action. The Leader of the Opposition, when she was in government, after the Offer report came out in 1987—at that time the Offer report recommended that action be taken against booze cans and she did nothing, she did absolutely nothing, at that time. It's only now, seven years later, that this government is doing something. They were asked to do something in 1990. The Liberal government had an opportunity to do something and it chose not to do anything.

Our position as well is that you can't regulate something that's illegal. The fact is, all these things that are going on now, all these booze cans, are illegal, and we have laws to deal with those things.

Mr Hayes: Tell us a little more about the Liberals. I want to hear about the Liberals.

Mr Tilson: Yes, and I'm not chiding you for the bill. I'm simply saying that we have an illegal activity that's going on now. The police simply have not had the personnel to deal with that particular issue. So I can't emphasize our concern more than by simply saying that we need to give police officers more resources to do their job.

The "integrity and honesty" provision in the bill, to which some members have referred, is questionable, and I'm surprised that more time hasn't been spent on that. We don't know what the basis of the decision will be, and I don't know whether any of the three ministers would be able to comment on that provision. During the press conference the ministers held, one of the reporters asked if criminal records would be used as a basis for the refusal of the licence and the Minister of Municipal Affairs said yes, but he really had no other comments to add about that provision of integrity and honesty.

Fines already exist under the Liquor Licence Act for illegal liquor sales, after hours or without a licence, yet that hasn't been working. Why? Because it's been difficult to get these people. Again it boils down to personnel. The operators, as I understand it, under both the new legislation for infractions of municipal bylaws with these fines and under the Liquor Licence Act for selling alcohol illegally, face a fine of up to \$100,000 for an individual and \$250,000 for a corporation.

That is a brief summary, as we see it. Again we congratulate the ministers for taking action—it's a bit late—but we feel much more work needs to be done.

I would like to comment briefly on comments that have been made by the Ontario Restaurant Association, which presented a paper anticipating committee hearings on this particular bill, and I assume this has been distributed to most members of the House. They do make some interesting observations which I'd like to refer to very briefly. This is part of a draft brief:

"While Bill 198 is intended to address the issue of illegal after-hours clubs and legal clubs in which illegal activities are occurring, it instead has its focus on legally run businesses and will have far broader ramifications. We fear this legislation will hurt the good guys and continue to ignore the bad guys.

"The continuing problem of illegal after-hours clubs is one of enforcement, mainly due to the fact that the existing legislation is not being properly nor adequately enforced. We must keep in mind that we are talking about an illegal activity."

That's something we should not forget in terms of what we're trying to deal with. We're trying to deal with something that is already illegal, yet we're now going to have new legislation dealing with that same illegality and we're not providing sufficient police officers to deal with that. We're not providing it now and there don't seem to

be any signs that we're going to be doing it with this legislation. We have a bill which puts forward wonderful guidelines with respect to licences and enforcement, and we support that, but we don't seem to be having the bodies to enforce that legislation.

Continuing with what the restaurant people say:

"Regardless of how much one tries to regulate an illegal activity, it remains just that, 'illegal.' Only after enhanced enforcement of existing laws and a better explanation and understanding of the causes of after-hours clubs will we be able to get to the root of the problem. More regulation by itself will not be an effective solution."

We support those comments. They question whether this legislation will solve the serious problems we're facing and whether there is a more efficient or effective way to address these problems.

I think we should take a long, hard look at comments such as this. I would hope that in due course all three ministers, particularly the Solicitor General, will be advising us what sort of funding is going to be made available to municipalities and the Ontario Provincial Police to enforce this specific piece of legislation.

The other comment which the restaurant association brings forward and which has been referred to by Mr Harnick, the member for Willowdale, has to do with the lack of a computer system. The Minister of Consumer and Commercial Relations indicated that they're working on that, but I haven't heard too much detail. One of the concerns the restaurant association had, and I'm referring to its report, was:

"Since the LCBO does not track SOP applications on a computer system, it is very difficult for law enforcement officials and issuing LCBO officials to detect any SOP applicants which have had problem events in the past."

In other words, if someone has had illegal activities in the past or has contravened the law, there's no specific way of keeping records for the purpose of granting licences, so that problem could continue to exist.

"The ORA believes that the current problems surrounding the issuance of" these permits "are therefore a human resource issue," and I heartily support that.

One of the issues which the restaurant association has raised and which I would like to hear more about—quite frankly, I don't have a firm opinion one way or the other, but I think it would be useful to hear more about it—is the recommendation that one of the options to reduce the proliferation of illegal after-hours clubs is to allow licensed and controlled restaurants and bars to remain open later.

One of the problems we have is that people hanging around from 12:30 to 1 are downing alcohol, with the difficulty of impaired driving and all of that business. There doesn't seem to be any evidence that has come forward from any of the reports I've seen that these after-hours clubs, if they are run legally and allowed, would create more problems on the highways. Maybe they will, but I haven't heard any facts about that.

There are other jurisdictions that have the extended

hours, whether it be the United States or England. It would be interesting to hear some of the government representatives talking about that specific topic. Ontario appears to be the only province in Canada which has 1 am closing hours and it is the province with the greatest problem with illegal after-hours clubs. That's an issue I would like to hear the government respond to, the fact that other people are doing it and yet this province has the greatest problem. Perhaps that should continue to be looked at.

The restaurant association has certainly called upon the government and I know the three ministers, specifically the Minister of Consumer and Commercial Relations, to adopt extended hours for a province-wide six-month term. That may or may not be a good thing. I would like to hear the pros and cons from the government before we proceed with this issue any further.

2210

The Ontario Restaurant Association was concerned about several other issues, one of which I referred to in a response to one of the earlier speakers, that is, that Bill 198 is flawed in that its focus is on the establishment where an illegal activity is occurring, regardless of whether or not the proprietor is involved in the activities. In other words, someone in the club or in the establishment could be conducting illegal activities and that may have an effect, as a result of this legislation, on the overall operation. Mr Harnick, the member for Willowdale, referred specifically to section 4, which says:

"Where an owner is convicted of knowingly carrying on or engaging in a trade, calling, business or occupation on, in or in respect of any premises or part of any premises without a licence required by a bylaw passed under this act, the court shall order that the premises or part of the premises be closed to any use for any period not exceeding two years."

His question was that it didn't say whether it's the owner of the business or the owner of the building, in other words, the landlord of the building, who may have absolutely nothing to do with this specific business. That presumably will be rectified by the government.

Not only that, if it is an illegal booze can and they simply close down those premises for a period not exceeding two years, there's nothing to preclude that business from moving somewhere else. They're closing down that particular establishment. That is one section of the brief I heartily agree with.

There is another section of the bill I'd like to briefly mention, subsection 9(6), which says:

"The council of an area municipality may by resolution require the regional council to investigate an alleged contravention of a licensing bylaw passed under this section by the regional council and to report to the area council."

There are different types of sections like that throughout the bill. There is no question that this piece of legislation is going to have an impact on the municipalities with respect to cost, with respect to administration. As well, different municipalities may pass different types of bylaws, so there may be different rules in one particu-

lar municipality as opposed to another. We could have something that goes on in Peel and something that goes on in Durham and something that goes on in Metro which are quite different, and some municipalities may take action and some municipalities may not. That's another issue, the issue with respect to costs and the different laws that could be passed.

The report of the Ontario Restaurant Association continues by saying:

"Bill 198 will not necessarily punish the person who is committing an illegal activity; rather, it will punish the establishment as a whole, by revoking, suspending or imposing conditions on the business licence."

In other words, the establishment may be doing nothing that is illegal, but as to the activities that are going on, whether it's drugs or alcohol or anything else, those people will not be affected by this legislation.

The restaurant association has stated that it feels, "This will impose a severe burden on small business operators, who under Bill 198, will be punished by the actions of their customers." That may or may not be the case, but I can see that it is something the ministry should be looking at.

"Bill 198 states that a business operator who is believed not to be operating with 'honesty and integrity' will have a hearing before a council or police services board, before any decisions are made regarding their business licence."

This is a concern again on the topic of honesty and integrity. The burden will be on the businesses to establish all this, and this will be rather costly and expensive to those particular businesses.

So although I do support the legislation and will be supporting it, as will members of my caucus, I say that with the reservations I've indicated. Whether there'll be an opportunity for the various ministers to add their input to make the changes that have been made by members of the opposition remains to be seen.

The Acting Speaker: Thank you. Questions or comments? Seeing none, further debate?

Hon Mr Philip: I want to thank the members for their contribution to this debate. I want to thank the opposition parties for supporting the legislation. I particularly want to thank the chiefs of police of Ontario, the community groups, the municipally elected colleagues who have been so laudatory of this legislation and of course my colleagues, the Minister of Consumer and Commercial Relations and her staff, the Solicitor General and his staff, and my own staff, who have worked long hours creating a bill which I think strikes a balance between the right of individuals to run businesses in a responsible way and the right of communities not to be bothered by the activities that may be illegal in some of those establishments.

I particularly want to thank the member for Fort York. He pioneered the original bill that I think showed the way, and he has been tireless in his efforts to try and protect his community. If there is someone who deserves credit for this legislation, it's the member for Fort York.

Some of the issues raised tonight I'll be happy to answer in committee, some of them I did in fact answer;

some members came in after my opening statement on second reading. But I appreciate the support of all members and I look forward to the committee hearings tomorrow and to the discussion in committee.

The Acting Speaker: Mr Philip has moved second reading of Bill 198. Is it the pleasure of the House that the motion carry? Carried.

By unanimous consent, this bill will go to the standing committee on finance and economic affairs.

2220

POWER CORPORATION AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI
SUR LA SOCIÉTÉ DE L'ÉLECTRICITÉ

Mr Wildman moved second reading of the following bill:

Bill 185, An Act to amend the Power Corporation Act / Projet de loi 185, Loi modifiant la Loi sur la Société de l'électricité.

Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs): I'm pleased to have this opportunity to tell you why the government is introducing the Power Corporation Act, 1994, for second reading. The act proposes three changes for the customers of Ontario Hydro, residential and industrial. This will mean a more cost-efficient service and a more cost-effective operation.

The first amendment will allow municipal electrical utilities to expand their service areas more easily. The change to the act comes after extensive consultation with members of the Municipal Electric Association and the unions involved and has the association's wholehearted support.

In general, Ontario Hydro distributes electricity to customers in the province's rural areas and municipal utilities distribute electricity in urban areas, but 66 municipalities are served by both. That's because it's too costly for local utilities to provide people in the less-developed areas of the municipalities with electricity at a reasonable price, so Ontario Hydro in the past has stepped in.

Today, those areas are developed and municipal electrical utilities want to serve them, but the utilities are hamstrung because, under the existing act, they must extend their service areas to the boundaries in one step, something few can afford to do. The first change proposed this evening would allow the utilities to expand in stages. This change will benefit the customers in two ways. It will help to end the inequity of some customers paying different hydro rates, and it will help to improve service throughout those municipalities because one, not two, utilities will serve the local residents and businesses.

This is enabling legislation, I want to emphasize. Municipal electric utilities do not have to expand their service areas to the municipal borders but, if they want to do this, the act allows them to do so at their own speed. This enabling legislation has been sought by a number of municipalities for several years.

The second amendment responds to the contracts negotiated between Ontario Hydro and its employees. The change will allow the corporation to reduce its contribution to the employee pension fund in 1994 and 1995,

saving some \$67 million. The Power Workers' Union, the Society of Ontario Hydro Professional and Administrative Employees, and the corporation agreed to this reduction and to improved job security in their 1994 collective agreements.

The third amendment gives the government the flexibility of choosing either Ontario Hydro's chairperson or president as its chief executive officer.

These three disparate changes have one common thread. They benefit the consumer by rationalizing service, lowering costs and providing for a more effective management.

I look forward to the cooperation of all MPPs with regard to these amendments which have been carefully developed with the involvement of a broad range of interested groups.

The Acting Speaker (Mr Noble Villeneuve): Questions or comments? Further debate.

Mr Ron Eddy (Brant-Haldimand): It's nice to have the opportunity to speak to this bill very briefly. At the outset I will say we do support Bill 185, particularly sections 1 and 3 of the bill.

We support section 1 of the bill because it is an amendment to amend a previous change, changes to the positions of chair and CEO. I have some headings here: the Marc Eliesen affair, the Marc Eliesen fiasco, the Marc Eliesen escapade, the Marc Eliesen ransom, and some other terminology, but I don't want to go into that except to say that it was a very expensive adventure for the users of Ontario Hydro at one time. But I'm sure we'll hear more about that.

Section 2, changes to the Hydro pension: We do have some concerns about that, as we do of course about the teachers' pension fund. We have been assured by the Minister of Finance on many occasions that everything is fine, is being done in a correct manner. However, we in this party do share the auditor's concerns about particular transactions with those funds, and I know that will be spoken to in a few minutes by other speakers.

It's down to sections 3 and 4 that I will comment about, and that's regarding municipalities' boundaries. I'd like to say at this time that we wholeheartedly support these sections of Bill 185. Work on this part of the bill has been going on, as we know, for several years. Many stakeholders, including the Municipal Electric Association—and we have representatives of that association in the gallery to suffer the debate on this bill tonight, at this early hour, because we had expected it would be somewhat closer to midnight; however, we'll rush on. Also involved in those discussions were Ontario Hydro and various unions that are involved in Ontario Hydro services.

Sections 3 and 4 of Bill 185 are commonly called the boundary legislation because they allow municipal electrical power commissions to adjust their boundaries and allow entire municipalities to be served by an electric utility other than Ontario Hydro. This will be news to some members, perhaps, who are not familiar with the provision of hydro, a very important service for us in the country. I well remember when we threw the switch after

the war and, behold, the lights came on, and we could convert to electric milking machines and we got other useful household articles as well.

There are 56 municipalities across the province, the minister said, served by two electrical suppliers: Ontario Hydro and the municipal electric corporations. Currently under the Regional Municipalities Act, when a municipality expands, the municipal electric utility must either expand its service to include the new service area all at once, and we have examples of that, or it must continue to serve the area it previously served, and I do have examples of those in my particular riding, four to be exact. These 52 or 56, I believe the minister said, electric utilities—

Hon Mr Wildman: It's 66.

Mr Eddy: Oh, 66? The number is growing. These 66 electric utilities across the province do not serve their entire municipal area because it has not been economically feasible for all these utilities to expand their service to the new municipal boundaries all at once. In these municipalities, electrical service is provided by both municipal electric and some areas by Hydro, and that's the case in my own municipality. Customers residing in a municipal area but receiving electrical service from Ontario Hydro pay Ontario Hydro rural rates.

Hon Mr Wildman: Fifteen per cent higher.

Mr Eddy: It's a concern, yes. They are 15% higher than the rates charged by the municipal utility. Municipal utilities have long argued that it is unfair for residents of the same municipality to be paying different hydro rates.

Bill 185 allows municipal electrical power commissions to expand their service areas incrementally, giving municipal customers now serviced by Ontario Hydro fairer and lower rates. "Incrementally" is very important, as we know, because some of these Ontario municipal hydro utilities are very small utilities and serve very small areas and therefore their income is quite small.

When expanding, municipal electric commissions will take over facilities now used by Ontario Hydro, as well as some Ontario Hydro staff. I'm pleased that this is a negotiated situation.

We believe electricity must be available at a price which ensures that the province has an attractive environment in which to live and a competitive environment in which to do business. The municipal boundaries legislation will make intramunicipal rates lower and fairer. We therefore support Bill 185 and will be voting in favour.

This is another bill that probably should have been before this Legislature in former years, but it's here now and it's a good move. It's important for municipalities across Ontario, especially the rural areas. They're very much in favour of it and we welcome its presentation.

2230

The Acting Speaker: Questions or comments? If none, then further debate?

Mr Leo Jordan (Lanark-Renfrew): I'm very pleased this evening to join in this debate, because we support this bill. Our main criticism, if you want to call it that, is that it's just coming at this time. As you know, it started back in 1988 and before that, but for some reason the

Liberals weren't able to deal with it. I'm pleased that now the government is dealing with it.

I think one of the reasons there was difficulty in dealing with this bill was to get something that was acceptable to all three parties, although I have some questions on that relative to my riding in particular, and perhaps in other areas of the province, regarding joining or bringing together employees of different utilities. As you know, in my riding I have many utilities that have what they call employee associations; I have utilities that do not have any employee associations—the employees deal on a direct basis with management because of the number of employees in the utility; and then of course I have other utilities that are in organized labour.

Mr Sean G. Conway (Renfrew North): What were you, Leo? Were you union or management at Hydro?

Mr Jordan: On my way up, if I may answer the member for Renfrew North, I was part of an employees' association. It was after I was there, in later years under Doug Campbell, who seems to be a friend of my colleague from Renfrew North—the employees' association at that time was very effective but, as with everything, you have to be ready for change, and change we got. Now we have in Ontario Hydro, as everyone knows, the Power Workers' Union, and in many utilities we have CUPE, the Canadian Union of Public Employees, and the IBEW, the International Brotherhood of Electrical Workers.

So there is that mix there of organized labour, and anyone who has had any dealings, whether with an association or with an organized, recognized labour movement, knows it takes considerable negotiating and understanding on both sides to bring the different issues together. There are many things that affect the employees: their pensions, their sick leave, their employment security, contracting out. All these things become part of the coming together of these employees.

First of all, I would just like to spend a few minutes on the explanatory note of the bill, because I think it's pretty well written out. "The bill provides the framework"—and I think that's important—"for municipal electrical power commissions to add to the areas that they service and to accept a transfer of facilities and staff from Ontario Hydro with respect to these added areas."

It's quite clear what the intent of the bill is, and we certainly support that, because it's necessary to give the customers the service they should have and give them some stability in rates.

The process involves the municipality and is triggered by a bylaw of that municipality so that there's the coming together of the utility and the municipality and an understanding of the need for this change.

There is another important aspect of this. Take, for example, in my own riding, the township of Goulbourn, and that utility with Richmond—perhaps the minister is better familiar with it than I am. They're the core utility at the present time and they would like to expand out into Goulbourn but perhaps are not ready to take the whole township. This will allow them to take it in stages or phases.

The issue that comes back—and I just want to mention these items. The Power Workers' Union has initiated an action. I want to bring this to your attention. I know there are members of the utilities here and I believe a representative of the Municipal Electric Association—I'm not sure—and I think it's fair to bring this to their attention. I'm personally interested in the people in my riding who are going to be affected.

The Power Workers' Union has initiated an action at the Ontario Labour Relations Board to be recognized as the union representing the employees of Innisfil Hydro on the basis that there has been a sale of business, as defined in Bill 40, from Ontario Hydro to Innisfil Hydro. I don't think this is the case, but it's before the board. I just want to bring that to their attention. Innisfil Hydro disputes the claim.

A four-day hearing was held in September. The issue is whether or not there has been a sale of business. You have to think about that; that's the issue. Is there in fact a sale of business? If there is, successor rights under the Labour Relations Act come into play. If they come into play, you have to honour the agreement under the Power Workers' Union or whatever union was representing the employees you acquired with your utility.

This is going to be very interesting, the result of this case, because all the restricted-area commissions wishing to expand their service under the proposed boundaries legislation and any commission involved with a municipality's amalgamation could be affected by the outcome. The boundaries legislation includes salary and job protection clauses which could be negated if successor rights are applied.

As long as the utilities involved in this—52, I believe it was, or 66, however many are involved here—understand that this issue is still up in the air and really hasn't been settled. My personal opinion is that the utility that's acquiring the staff from Ontario Hydro will have control of the utility and that it will not be the buying of another business that was under Bill 40 in the successor rights.

Mr Conway: I'd stay out of that one, Leo.

Mr Jordan: Well, when you stay out of things, it's too late. You've stayed out of it since 1988, and look at the mess we're in now. Is that not correct, sir? This has been before legislators for half a dozen years now, or more, and it is time we dealt with it.

Under this bill, "Provision is made for Ontario Hydro to provide financial assistance to a commission and the method of calculating the amount is set out."

I would like to go on at greater length about some of the things I see here relative to the transfer of personnel and their pensions and so on, but it would seem to me that the negotiations to date have really taken these issues into account and that the utilities under the MEA, the Power Workers' Union, Ontario Hydro and the ministry have come to an agreement on how this coming together should be.

"Provision is made for determining which Ontario Hydro employees should be transferred to a commission." Think about that for a while: "Provision is made for

determining which Ontario Hydro employees should be transferred to a commission. This includes a system that allows some employees to be designated to receive an offer of employment and others to voluntarily enter into the employment of that commission. Ontario Hydro's obligations and the commission's obligations are set out."

I'm still a little on the murky side about who and under what conditions they say these employees shall go with the annexation, if I can use that word, to the new commission. The new commission has the right, I understand, to interview these new employees and they have the right not to hire even though they've been recommended to go with them.

Looking back over the last four years, there's a certain amount of unrest out there and a certain amount of lack of confidence in the whole thing, and it's too bad, because over these four years we've had four ministers of energy, we've had three chairmen and three chief executive officers. Take that and apply it to any company, apply it to your own household. It won't work; it just won't work. You can't switch that fast that many times and get some continuity of thought, some continuity of policy, some continuity of finances.

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Mrs Yvonne O'Neill (Ottawa-Rideau): Take it from an old guy, right? Take it from an old guy who really knows.

Mr Jordan: Right, thank you.

Mr Conway: Only Yvonne can get away with that.

Mr Jordan: He accused me the last time I was speaking here at this hour of the night of having a well-lubricated talk, he said, and he can't deny that because I read it in Hansard.

Mr Conway: I take it back.

Mrs O'Neill: He's drinking water. He wants us to know that.

Mr Jordan: But think about that. I speak to the minister and I know that he's well aware of that change of command. I remember crossing the province with Bill 118 and I was fighting like so to try and keep the government from getting that much control of Ontario Hydro. That's a lot of control.

It used to be that, "The minister shall recommend to the board," and then under Bill 118 it said, "The minister shall direct the board" to do so-and-so and so-and-so. Of course the minister now knows very well that the pros and cons of the last four years are sitting right in his ministry, because he did have the power to change direction. If they did it and it was good, fine. If they did it and it was bad, they also have to take the responsibility for it, and that's the responsibility of government.

But I'm afraid that over the years government interference in Ontario Hydro has to take responsibility for some of the debt we're facing today. I've talked to an awful lot of people, not only in Ontario Hydro but outside of Ontario Hydro, and there are facts and figures available that say at least \$6 billion at Darlington can be attributed to what we might call political interference, by all three parties.

Hon Mr Wildman: Oh, really?

Mr Jordan: Really. You take two years and put a moratorium on a project like that, you lose your contracts, you lose your expertise, the interest on the loan goes on, the money is there, and the thing is that now we have Darlington spinning away making all kinds of money and we never hear a word about it, not a word. It's one of the most efficient nuclear plants in North America and indeed in the world, and it's recognized the world over.

As I said the other day to the Premier, "Why don't you make up your mind, Mr Premier? You're over to China telling them that we've got the best in the world and they're going to buy it, but it's like that man in England wanting to buy the tea: Only in Canada?" The Premier is saying anywhere but in Ontario we can have this Candu reactor.

Hon Mr Wildman: Are you saying we should build more nuclear reactors?

Mr Jordan: We're talking about the research that was ongoing in the nuclear field, and I'm telling you that any electrical utility that doesn't keep up the research and the research staff in that area is going to lose out.

You know, the chairman had the nerve to come out and say, "We made money this year."

Hon Mr Wildman: We did.

Mr Jordan: Yes. You know why he said he made it? He said we had cold weather in January so we sold a lot of kilowatt-hours.

Hon Mr Wildman: Well, we did.

Mr Jordan: Then he said we had hot weather in June and we sold another bunch of kilowatt-hours.

Hon Mr Wildman: That's true.

Mr Jordan: You know what he forgot to say? "If I'd had a marketing staff on the other 10 months, I'd have sold a lot more kilowatt-hours." That's just common sense, for God's sake. You're going to depend on the weather, for God's sake, for your market. Come on, get with it. Get out there. You've got the expertise to make the product. Get out there and market it. You can't sit back waiting on the weather, for God's sake. Lots of people are—well, I won't say it, but it's very depressing in my riding to think that the people—

Mr Wayne Lessard (Windsor-Walkerville): —tell everybody to open their windows?

Mr Jordan: No, we don't tell them to open their windows. We told them to use it and use it wisely, and they did it, but they used it and they were told the many efficient ways to use it. Your curve per load has a peak and a hollow, and a peak and an off-peak period, and any utility that doesn't have a marketing program to fill those valleys shouldn't be in business. They should be closed up. They shouldn't have direction from any minister of energy. He should cancel the utility.

Hon Mr Wildman: Cancel it?

Mr Jordan: Wipe it out. They shouldn't be allowed to form a utility if they don't know enough to get out there and market and fill those valleys of power, because their cost of power is based on their peak demand. A lot

of you don't even know that. You don't even know that. The rate that I'm going to pay for my power in my utility is based on the peak demand.

Here I am with all these off-peak hours and I say, "Well, I'm sorry, I've got nothing to do with the power in those hours, so I don't use it." We've got a lot of shift workers in my riding. You give them a dual meter on the house, let them pay for it, 350 bucks or whatever it is, they'll buy the meter. Let them have a dual rate. They come home from work at midnight, they can do their washing, do their laundry, do their drying at the lower rate, at the energy that we're dumping over the dam because we have to keep these steam plants running. It doesn't matter what they're fired with, coal, gas or—

Hon Mr Wildman: Or nuclear plants.

Mr Jordan: No, steam plants. A steam plant is a steam plant. The only difference is how you make the steam. So whether you're going to heat it through fission or nuclear fission or whether you're going to heat it through natural gas or whatever, you're still going to make the steam and drive the turbine and generate the electricity.

So any steam generator, once it's up to power, leave it there, let it run. A hydraulic generator, you can open and close your gates, bring it on for peak periods, close it down, shut off the water, build your head back up. Instead of running then with a 35-foot head, you back up to a 40-foot head or whatever it might be, and when the peak hits again, you've got that extra horsepower again to come on and cover the peak.

That's what you call managing the production of power. It was always done. But now there's nobody marketing the off-peak power. It's not being marketed at all. I don't know of another product that is so flexible as electricity.

When you think about electricity coming here to that lightbulb, there's nothing there at all. All you've got is a generator spinning, a north pole, a south pole, around a group of windings making alternating current. But that lightbulb goes out 60 times a second. How many in here would believe that that bulb goes out 60 times a second? That's alternating current. When we had 25-cycle current here, you could see it going out because it only went out 25 times a second.

What we call the conductor is aluminum wire or copper wire that leads to the light, and that's what the generator is doing, causing the electrons in that conductor to create the light or create the electricity. So it's a very unique energy.

Why you need a marketing staff, for one reason, is to explain to the customer what he has in his house or what he has in his small business or small commercial plant. I can remember on power factor alone, I had many customers running—you know, we were billing them on about 90% power factor. You know what their power factor really was? It was about 66%.

So we put in capacitors to shift the angle of the load. What you get is KVA, and they call that wattless power. In other words, it doesn't do anything. You have to pay for it the same as a kilowatt, but it doesn't do any work.

What you do then is you put in a set of capacitors and you shift the angle of the phase so that you do have watt power, you do have power that's going to do work, and you get something for your bill.

I think to bring in a new chairman, as you did—what did I say?—three times or whatever and then make that chairman the chief executive officer—and this bill, by the way, allows you to make either the president or the chairman the chief executive officer. From my experience, I would say very often it would be more wise for the president, depending on his qualifications and so on, to be named chief executive officer, but that's not always the case.

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I'm not really critical of the government having the right, subject to the board, to appoint the chief executive officer. There can be many reasons and it's nice to have maybe that flexibility there, but it is a change again. You know, the Liberals brought in the fact that the president would be the chief executive officer. They amended the Power Corporation Act to say that. So now we're back, we want it both ways.

Out in Ontario, out with the customer—as my colleague knows, the customer is the man who pays the bill—what he's saying is: "What is wrong with Ontario Hydro? What is wrong with the Ontario Hydro I used to know?" Really, the problem is that there's really not that much wrong with Ontario Hydro.

Do you remember the 25-year demand-supply plan? I think it was Bob Franklin who brought it in. He went straight across the province with that. I remember he went to every little municipality. He went to county councils. Everybody had a chance for input. Of course, it was based on an ongoing increase in demand. There was no consideration. The confidence was so high at that time in the province of Ontario that no one ever dreamed of the load curve dropping off.

Now you have to plan, remember, 15 years ahead to meet your load demand, so he was right and the commission and Hydro were right in planning ahead to meet that demand. The only thing in planning, they had to commit a lot of money and they had to get some footings in the ground.

Other companies were caught the same way. Real estate firms bought up large acreages of land, thinking that the building boom was going to continue. Well, it didn't continue. They weren't stuck in the same situation as Ontario Hydro was, but Ontario Hydro, as described by many, looked like a monster. Out of control, they said. "Look at what they've done. They've got all this extra generation and they have no market for it."

Well, why did they not have a market? There were two reasons: There was a change of government, and with the change of government came a different attitude towards the security in the province of Ontario. As you know without listening to me, energy was one of the main attractions to this province.

Hon Mr Wildman: Reliability.

Mr Jordan: The price of energy, and not only the price but the sustainability of it and the dependability of

it and the reliability of it, as the minister says, was there.

I'm familiar with some of the areas in the neighbouring province of Quebec and I can tell you, sometimes there was no energy there for 15 days or more. But there wasn't that same commitment to service that there was in this province and the utility was not as close to the people. There were no utilities as represented by the Municipal Electric Association. It was Quebec Hydro right to the meter at your house, Quebec Hydro all the way. The people just accepted what they got because their only contact back to the source was through their member or through their minister of energy. It became a case, and is a case, of "We're doing the best we can, and this is the service," and they're used to it now. I wouldn't want to see the province of Ontario go that route really, I don't think. Mind you, there are arguments for it.

Hon Mr Wildman: This bill goes the other way.

Mr Jordan: This bill goes the other way, yes, it does, and we're not fighting that either.

But there are some arguments for Ontario Hydro right to the meter too. I haven't got any details on it, but I've listened to some people speak on it and the arguments basically are cutting out levels of administration.

Speaking of administration, I can remember having bills brought to my desk for signature for a job that was done for a customer, and everything seemed to be in order until you came to the last item and it said, "Head office overheads." Head office overheads, and you know what happened? The bill became so ridiculous you were ashamed to send it out to the customer. You'd phone up these so-called office people at head office. "How did you ever arrive at this percentage for me to apply to this bill?" "Well, this is the formula, this is how it's done, and that's the percentage that you have to add." When that 700 University Avenue was built it was supposed to house all the administration staff for Ontario Hydro for years to come.

Hon Mr Wildman: Wasn't that some guy named Moog?

Mr Jordan: No, no, that was a good deal. He invested the money, and we rented the building, you see. We didn't have to put out that capital. They put up the capital, we rented the building and we ended up with ownership.

Mr Ron Hansen (Lincoln): He has never listened to your speech.

Mr Jordan: Sorry? Mr Speaker, I can't hear the opposition there. I want him to get used to being the opposition, because his time is running out.

The issues with Ontario Hydro can be very complicated or they can be very straightforward. In the province of Ontario, 75% of the customers are served by these utilities here, and here we are trying to blame, if you will, Ontario Hydro for the present situation. You have to remember that these utilities always had the right of input of ideas, so they have to accept some responsibility.

I see the representative for the MEA looking way up here to the lights, but they—

Hon Mr Wildman: They share some of the credit, not the blame.

Mr Jordan: Credit, yes, okay.

The new chairman and our most recent one, Mr Strong, I'm not aware of any great policy that he has enacted outside of cutting the staff to the required levels under the economic status at this time. Outside of that—

Mr David Tilson (Dufferin-Peel): What about buying out employees?

Mr Jordan: That's what I'm coming to. Thank you.

Outside of that, what has he done for that big salary, outside of spending millions of dollars buying out employees who, in my opinion personally, should have been retained? The ones over there that he's looking at now should have gone first, and the ones 55 and over should have gone first. I'm talking to employees of Ontario Hydro who are 40, 42, 45 years of age. They said the package was so rich they couldn't afford not to take it. Excellent employees. Ontario Hydro spent millions of dollars out at Orangeville and other places training these people. They're expert in their field.

They're saying, "Oh, we've got a great chairman." All he's done really, in my opinion, is reduce the staff in line with the economic status of the province and the requirements of energy relative to that today.

What he's done along with that, he decided: "Yes, we've got a \$34-billion debt, but so what? I'm going to play a little game of investment here. I'm going to Peru and I'm going to spend \$74 million." Then the minister sits down in his cabinet and approves up to \$200 million. It was brought out by the Ontario Energy Board today. So he has really only started his foreign investments. I'm telling you, if he spends another nickel in foreign investments—

Hon Mr Wildman: You said you wanted to have those experts doing something.

Mr Jordan: Yes. Rather than lay them off, he's going to buy some foreign utilities and keep them busy, and he's buying them on borrowed money, let's face it. The people in my riding are saying, "Leo, if they spend another nickel on foreign investment, you're going to see one of the biggest displays at Queen's Park that you ever witnessed from this riding."

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Now, think about it. Why are we sending money to Peru? Just a simple question, Minister: Why are we borrowing money and purchasing a utility in Peru? You know the terrorist movement down there; I don't have to repeat that. I've talked to the embassies and they told me how active these terrorists are, and this last attack, where they knocked down six transmission towers, let me warn you, is not the last one. It's not the last one, and that's just outside on the perimeter of Lima. In fact, Lima could be one of these utilities that, as we're doing here in Ontario, might want to annex that in the future if our investment in that utility was a good investment.

Well, where do we go from here with Ontario Hydro? That's the question. I say it's time to have a good, solid private and utility mix. What I mean by that is that private sectors and private companies should be allowed to build, especially cogeneration, where part of the usage is going to be for their own use and the excess is going

to be sold to the public. That can be a very good arrangement.

We can have rural Ontario divided into large utilities. In my riding it would be the Ottawa Valley utility, and that utility would cut its cord to Old Mother Hydro, which should have been done some time ago. They would have their own commission or board. It would be called giving Hydro back to the people, and the people would not be responsible for irresponsible spending and marketing types of things that are sent into my riding that don't suit my riding. They're sent into Renfrew North and they don't suit Renfrew North, but you're expected to use them. The money is spent on them and you're expected to use them. So more localized authority, and your bill allows it, which makes it very acceptable to me and a lot of the people in my riding. Instead of having 300-and-some-odd utilities, we'd have those utilities still in place plus the rural utilities under the MEA.

Then we could have the grid, the power highways of Ontario, under an independent body responsible to the Ontario Energy Board, which would have more teeth to regulate and control, so that if I had private generation, I could use that highway of power to transmit my power from Smiths Falls to North Bay, to a customer there, over those existing grid systems, and Ontario Hydro would not be able to say: "No, no. We own it. You stay off there. If you want to go from there to there, you build your own." We would have a nice competitive system in Ontario and Ontario Hydro would be very much required, as the major utility for the province, looking after nuclear major hydraulic generation, the 500-kilovolt and those types of things that are better controlled by your ministry and the function of that board, and really—

Hon Mr Wildman: The ones with all the debt.

Mr Jordan: No, the debt would be shared with the utilities. Right today, each citizen would accept about \$30,000 in their share of the debt. It's a mix. But it's very acceptable to the people, and still the people are guaranteed a reliable source of energy at reasonable rates.

With that, I think we've sort of laid out an outline of, if you will, a solution to the problem. Certainly paying big money to a new chairman who's just going to reduce staff and spend money on foreign investments is not the answer. I don't care if he reduces his staff to a dollar. He's feeling kind of guilty of conscience himself when he makes a move like that, and he makes it very difficult for the next person to follow when you get that type of thing.

I think when a chairman gets to that point, whether he's chairman or chairman and chief executive officer, it's time he moved on. His purpose has been served and perhaps his interests have become more foreign than provincial. You read the Maclean's magazine two or three months ago. I can see the poor chairman sitting out there with that cowboy hat on, much like the one the member for Renfrew North wears on his day off when he's bringing that old truck into Barry's Bay.

He complains about the price of gas, he complains about all these things and there's no transit system up that way. He has to use the transportation there and pay that price for gasoline.

Mr Pat Hayes (Essex-Kent): Thank you, Leo.

Mr Jordan: Sorry?

Mr Hansen: Thank you, Leo.

Mr Tilson: He's got another hour yet.

Mr Jordan: Ladies and gentlemen, I thought it was near midnight, but it's not, so I might as well go through the rest of this here. I see the MEA representative giving me some funny looks over there. I'm sure they've heard this before. Really, I want to leave you with the message that there's a really great future for electricity as an energy in this province, and this negative marketing has to be discontinued.

Hon Mr Wildman: What about conservation?

Mr Jordan: We cannot depend on the weather in January and June. We've got to get out there and tell the people about our product, and we'll not only have good moneymaking projects in January and June but we'll have them year-round.

Hon Mr Wildman: And forget about conservation.

Mr Jordan: Wise use.

The Speaker (Hon David Warner): I thank the honourable member for Lanark-Renfrew for his contribution to the debate and invite any questions and/or comments.

Mr Hansen: I'm going to make it very short. I only have two minutes. I think we should be moving ahead; we shouldn't look at the past history. This province should be moving ahead, and I think this legislation will move it out of the Dark Ages and finally the member can turn on a light over there.

I can tell you that just in Lincoln alone, with this bill being passed in six months, the residents of my community will save \$250,000—just tonight a resolution's been passed to go ahead—and over \$3 million in the next five years.

Mr Jordan: Don't take it out of context. What about the density of the customers?

Mr Hansen: I could tell you that where I live it's a rural area, the Pelham area, but I pay Ontario rates and I would love to pay the rates that the residents in Fonthill pay. I have to say that this has been around since 1975. This isn't something that just developed in the last year.

Mr Jordan: Since 1988.

Mr Hansen: The member says 1988, but it's been there since 1975 and it's about time that we got on with the business here in Ontario to make Ontario competitive and a place to live for everyone paying the same rates and fare.

I don't agree at all with the member knocking what happened in the past. It's his government that set this up. We're a government that is changing and what we're doing is actually going down to the communities and letting the communities decide and not letting Ontario Hydro decide here in Toronto what our rates will be.

I have to say that I'm going to point to a member from my riding, John Alton, who's the head of the hydro commission in Lincoln. He's spearheading this to make sure that Ontario winds up being competitive and that the

residents of Lincoln have a chance for a fair bill.

The Speaker: Further questions and/or comments? Seeing none, the honourable member for Lanark-Renfrew has up to two minutes for his reply.

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Mr Jordan: I don't understand why the member for Lincoln feels that we're looking back at what's happened in the past. I have never heard as many complaints as in the last four years on hydro bills, on hydro policies.

My whole time when we had control of this government Ontario Hydro was respected across this province. I met just the other day with representatives of major industries. If you listen to them, you don't have to be any genius at all to have policies that will give you the stabilization of energy in this province. You don't need any great advisers; they're all there. Listen to the users. By gosh, you listen to the users. They will not only tell you what's wrong, but they will also give you a good guideline for new policy to correct the situation.

I mustn't forget to remind the minister again that the small businessman and the people with the electric heat and the electric water heaters are depending greatly on new technology that's available here. We can have the electric water heater in service; this new technology knocks it out during peak periods. We used to do it years ago with lesser technology than we have today. We have technology that will knock out the electric furnace; three parts of the furnace will be off during peak periods. The temperature in the house wouldn't drop one degree because that is the built-in capacity of that unit. But you have the difference of 20-kilowatt demand on the utility versus five, just through a little bit of technology.

The Speaker: Is there further debate? I recognize the honourable member for Renfrew North.

Mr Conway: I'm pleased to join my colleagues from Lanark-Renfrew and Brant-Haldimand and Lincoln in this debate tonight. It's always enjoyable following my neighbour from Lanark-Renfrew because he understands the microcosmic application of this Hydro policy far better than I will ever understand it. The member reminds us that all politics is local. I was just glad there wasn't a test about the intricacies of electricity. I remember a grade 11 physics class. I thought then, as I do now, it's one of the great mysteries of the world in which I live, so I'm always happy to have some of this—

Mr Hayes: Bring out the positive.

Mr Conway: Well listen, the member for Lanark-Renfrew spent how long, 35 years, working for Ontario Hydro? So he knows this in far greater detail than I do.

I know the member for Essex-Kent would probably be in this category, but it's hard to explain perhaps to a lot of members who live in urban communities just how important Ontario Hydro is in counties like Lanark and Renfrew and the Algoma district and Oxford and places like that, because it is certainly very much the face of the Ontario government. I can't think of a responsibility, perhaps with the exception of health care and education, that is more sensitive in terms of my electors, and I'm sure I speak for most of the rural members.

I want to begin by saying I support Bill 185. We have

five visitors tonight. Now, the hour is late, but as I looked at the bill, having had some experience as a minister, I know the work that goes into this. There's been some commentary tonight, perhaps even some recrimination, as to how long it has been and who among us is responsible for the delay in bringing forward Bill 185. I understand that the member for Lincoln is kind of right, that it's been around for a long time and I guess we all share in some of the blame for the delay in getting here. But it's here and it is supported on all sides and I think that's the important thing.

If you look at the bill, I'm sure members—

Hon Mr Wildman: The pension commission, for one.

Mr Conway: That's right. The minister says, "The pension commission." There have been a lot of oars in this water and when you read the bill and you understand what's going on here, it's not a surprise. There are major stakeholders and key issues involving particularly employment for a lot of people, to say nothing of rates for a lot of Ontario ratepayers.

But I want to pay tribute tonight to the five people here. I'm going to name them because I think they should go into the Hansard of this debate. If you look at this bill you'll understand just how much work would have to be done, not just by people at the Municipal Electric Association, as the umbrella organization representing these utilities, but people in the departments of Energy, Municipal Affairs and Finance, to name the three major ones from the Ontario government. This kind of legislation is very intricate and involves a great deal of commitment in time and energy and patience.

Andy Frame is over there; some of you will know him. Andy worked for the Ontario government for many years as a policy adviser in the Ministry of Energy. With him is Jim Richardson, the general manager of Innisfil Hydro, to which local commission some reference has been made earlier by my esteemed friend from Montague township; John Alton, referred to by the member for Lincoln; Roger White of Lincoln Hydro; and Kevin McGuire from the MEA staff here in Toronto. They are five people who are here tonight as kind of proxies for the hundreds and the thousands out there who will be saying, "Please, please let this pass," for the very good reason that the member for Lincoln has indicated: that this bill will provide very substantial benefits to thousands, tens of thousands, of Ontario residents who are currently paying rates higher than they will when this bill is passed and made effective in their jurisdictions.

There are three items in this bill and I want to deal with them in the following order: There is the boundary question, and that's the one I think clearly has most interest in the gallery here tonight, if not in the House; the second issue is the whole question of the chief executive officer for Ontario Hydro; and the third issue concerns Ontario Hydro's pension contribution for the years 1994 and 1995.

I'd like to take the first question for a moment and simply say that the boundaries issue is overdue. It is extremely important to all those municipalities that my friend from Brant-Haldimand, among others, mentioned tonight, and as has been indicated by others. I don't have

this experience because none of these municipalities is in my constituency, but as has been commented by a number of people, it is clearly vexatious for people in the same municipality to be paying two different electricity rates. Those of us who hold elected office can appreciate how it would not be a very happy meeting where one was called to explain that differential. This bill provides an opportunity for that situation to be alleviated on a permissive and case-by-case basis. I think that is very good policy, it is overdue, and I want to congratulate the minister and these good people and all the others who worked on this to give birth to this child some 20 years in gestation. Enough said on the boundaries question.

I want to deal with the third item, and that is the issue around section 2 of the bill, which basically reads as follows: "Despite subsection (4), in respect of each of 1994 and 1995," Ontario Hydro "shall contribute towards the cost of pension benefits under the Ontario Hydro pension and insurance plan" a different amount than that which is called for in section 24 of the Power Corporation Act, and it is essentially a reduced amount.

Hon Mr Wildman: Negotiated.

Mr Conway: Negotiated. That's right. The minister is right. We had a very interesting negotiation back in the spring, and this part of the bill concerns itself with that arrangement. It is to give Ontario Hydro a reduction in the pension contributions which it must make for those two years, as I understand it, because of course salaries have been frozen for that two-year period and there's some room in which to manoeuvre.

Well, I just want to say this about that: I have to believe what I'm told, that there is room in which to manoeuvre—

Hon Mr Wildman: For job security.

Mr Conway: —and for job security and for all the good reasons cited, but over the years here, I have grown somewhat sceptical about these kinds of assurances. I have just seen too many ministers of finance and too many legislatures come with their proverbial tails between their legs saying: "Well, you know, that deal they cooked back in 1975 for the teachers' pension plan," or the deal that was cooked in 1982 for some other public service or parapublic service plan, "well, it just didn't quite work out the way it was supposed to have worked out. There wasn't quite the room to manoeuvre and now we have this unfunded liability."

Now, it may not happen here. I have no evidence to suggest that it will. But I'm from Missouri on this question and I will await to be convinced, though I probably won't be here when these chickens come home to roost, if they ever do.

Ms Evelyn Gigantes (Ottawa Centre): Sure you will.

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Mr Conway: The member for Ottawa Centre says sure I will. She knows more about my future than I do, but I'm happy to have her confident prophesies about that. But it is very vexatious to the taxpayers to see these kinds of arrangements not work out the way they were supposed to work out.

It's not that many years ago that the Ontario Energy Board had some rather colourful things to say about the Ontario pension plan. Now, I know some of us in the assembly tonight are closer to that fund than others—

Mr Jordan: Some have contributed more than others.

Mr Conway: I have never said anything about contributions, I say to my friend.

Mr Jordan: Oh, no, you wouldn't say anything about that.

Mr Conway: I cast no aspersions on my friend and neighbour the member for Lanark-Renfrew.

It is just a caution. I raise it tonight because if this isn't quite the good arrangement that is now being advertised, it will fall to a subsequent Legislature, but it will none the less fall to the ratepayers, the people of Ontario. My sense is that they're getting awfully tired of picking up these downstream liabilities that some of the architects were perhaps a little more familiar with at first instance than they ever advertised.

I remember that happy experience I had with the teachers' pension fund of just a few years ago. The now Minister of Agriculture—I was then employed by the Hastings County Board of Education—probably had a view at the time; he never really expressed it to me. But there wasn't a teacher around who didn't feel that we weren't robbing the plan. All I knew was that by 1988-89 there was a mess. There was an unfunded liability running in the billions, and it was absolutely clear to me in 1988-89, that when that deal had been cooked 15 years earlier the architects of the scheme knew that they had constructed a house of cards and it was going to fall down but it wouldn't fall down for about 10 to 15 years. In fact, they could have predicted it with absolute accuracy, and it did fall down. It fell down in the late 1980s, and a very messy bit of surgery had to be performed.

I say again, I have no evidence to suggest that this in fact is the case here, but I raise a concern and I raise a caution about that, and I just hope and pray that all of the assurances that have been given are to be credited not only today but some years down the road from this point.

I want to take, then, a moment to deal with the part of the bill that concerns the chief executive officer's responsibility. I was quite impressed, actually. The minister did this without even smiling. Well, he smiled; there was a crease of humour across his visage at the end.

I have to say that Bill 185 in this respect represents an about-face that is quite spectacular. The New Democrats have in this particular instance turned tail so rapidly that the starch has flown out of their shirttails in an almost dangerous way. I have here before me Bill—

Ms Sharon Murdock (Sudbury): Even you have to smile, Sean, come on.

Mr Conway: Well, I do smile. As my old friend Stephen Lewis would say on such occasions, section 1 of this bill is chutzpah on stilts. Here we have it, section 1 of Bill 185. This bill was introduced on November 3, 1994, and it says, "The Lieutenant Governor in Council"—that's the cabinet, for our audience out there, those few people perhaps—

Hon Marilyn Churley (Minister of Consumer and

Commercial Relations): With nothing to do but watch this speech.

Mr Conway: No, I'm sure they're watching this. The cabinet, "after considering the advice of the"—Hydro—"board, shall appoint either the president or the chair"—of Ontario Hydro—"as the chief executive officer." I agree with that. That seems to me an eminently sensible position; it's the one I happened to be arguing for just three years ago, that day in June 1991 when the member for Peterborough representing this government came in here with Bill 118, which made it plain in section 7 of that bill that the chairperson of Ontario Hydro shall be the chief executive officer; no ifs, ands or buts.

She said in her statement at that time that of course this was an important change because it will make the corporation more efficient and more accountable. That was just two and a half years ago.

I want to be fair. They have learned that that position was too rigid and it wasn't sensible. They didn't have a revolution perhaps, although Marc Eliesen probably visited on the internal confines of the Rae cabinet something akin to a revolution, and we have now this bill tonight which reverses the decision of two and a half years ago and I think rightly gives the government the kind of flexibility it should have in this respect. But you would not expect me to have forgotten that just two and a half years ago you were lecturing this Legislature and the opposition and anybody else out there who didn't see the wisdom of your Bill 118, that it had to be the way you legislated it in that policy.

Hon Ms Churley: We surrender. It's 11:30.

Ms Gigantes: Speak for yourself.

Mr Conway: Listen, I'm not here to seek surrender.

Hon Mr Wildman: I don't surrender. I don't agree with what he just said.

Mr Conway: You don't agree with what I just said.

Hon Mr Wildman: That's right.

Mr Conway: I don't expect you to. I'm just simply pointing out that you have—

Hon Ms Churley: Sorry. Keep going.

Mr Conway: Well, you know, if you want to go home, Marilyn, the fact of the matter is that in a 20-day session, if we meet 20 days out of nine months, there are going to be a few night sittings. I'm quite happy to meet more days and get you home a lot earlier, but—

Ms Murdock: Is this an offer?

Mr Conway: Well, no. I want to say that in supporting Bill 185, I think in this respect the government has done the right thing, and I simply want to observe that we bury tonight yet more of the policy that was brought forward a couple of years ago with Bill 118. In fact, I was thinking as I prepared for tonight's debate how much of the Eliesen policy is now a dead letter.

This particular section that has been referred to by some others as the Eliesen section: Oh, that was so clever. I know there was a fight and it might have been in the view of the Premier absolutely necessary that that provision be written as it was in Bill 118. But I'll tell you, tonight, as we change that policy, we lay to rest a

substantial part of the Marc Eliesen Hydro policy that the Rae government pursued in the first two and a half years of its mandate.

In that respect, referring now to those sections of the bill, really the one section of the bill that concerns who can be the chief executive officer, to talk a little bit about Ontario Hydro today and the current incumbent, the nominal CEO of Ontario Hydro, I guess the current chairperson of Ontario Hydro, Maurice Strong.

I think it was Andrew Coyne in the *Globe and Mail*, although I couldn't find the clip tonight, but somebody referred to the current chairman of Ontario Hydro as the Deng Xiaoping of Ontario politics, and I thought that was probably not a bad description.

Hon Mr Wildman: He's far more dynamic.

Mr Conway: Well, I don't know whether Deng would accept—but, you know, it's just two years ago this week that we had Maurice Strong come to a legislative committee to tell the assembly why he would make a good chairperson and what he would do. I was re-reading his testimony.

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I thought that the appointment of Maurice Strong was an interesting appointment, and I said so at the time. I was impressed that Mr Strong was willing to make himself available to the Ontario Hydro corporation and to the public of Ontario in this respect. I think he has a very remarkable world view. He has a very interesting and remarkable mix of experience and I supported the appointment. I had only one concern and the concern was that he has a reputation of not sticking around. I don't think that was any secret at the time of his appointment, and I have been concerned that in his stint at Ontario Hydro he has in fact, I believe, let the Premier down.

When Maurice Strong came to that legislative committee, the standing committee on government agencies, on December 9, 1992, which is now almost two years ago, he said in part in his testimony: "Mr Chairman and members of the committee, you will notice that I am not wearing rose-coloured glasses. In fact what I seem to see, as I look upon Ontario Hydro today as an outsider, is a kaleidoscope of trouble. I see a company with high debt, high costs, depressed revenues and oppressive price increases. In short, I see a public corporation in crisis, certainly a crisis of public confidence."

Two years later, to give Mr Strong his due, he has initiated, with the support of the government, a number of measures that I think have been significant and important. My own feeling, and I have no great experience obviously as a senior executive, is that what Ontario Hydro needed was the full-time energies of someone like a Maurice Strong for at least a five-year period. Any of us who has been involved in public policy knows that it's all well and good to announce the change, but I'll tell you, program implementation is the tough part of the task, and I have been very concerned that Mr Strong, bright, remarkable, idiosyncratic as he is, has in fact not lived up to that commitment that I know he gave to the Legislature, which was, "I will give my full energies to this job for a period of approximately five years."

Hon David Christopherson (Solicitor General and Minister of Correctional Services): And that's what we said.

Mr Conway: Well, the minister responsible for the OPP says, "And that's what we said," and I think the government has a right to be disappointed. I want to say again I think he was an interesting appointment, a significant—a bit risky perhaps, because as I said then, he had this reputation.

The question I ask myself today is, "What is going on over there?" We know that Mr Strong is now the nominal CEO; that some weeks or months ago, I can't remember now, he essentially gave up his salary, all but \$1, and turned over the basic running of the operation to Dr Allan Kupcis, who is of course the president.

Mr Tilson: He's busy with his hotel down in the rain forest.

Mr Conway: I don't want to quarrel with Mr Strong's international activities, although I think there are some that he has pursued at Ontario Hydro that give me pause. But I really want to say that I think there are very major issues ongoing at Ontario Hydro. I know the government, I know the Legislature is concerned about the fact that last year the utility reported a record high loss, something like \$3.7 billion, largely occasioned by a huge write-down.

This year we are told, and the member for Lanark-Renfrew indicated that with the help of weather, the balance sheet's going to look a little better, significantly better I'm told, something in the neighbourhood of a billion bucks. Well, we'll wait and see.

Hon Mr Wildman: It's \$800 million or something.

Mr Conway: That's right, and we all want to see an end to the red ink. But I look at what's been going on at Hydro these past two or three years. It's been mentioned earlier tonight. In the first restructuring, the corporation shed 6,000 employees. That, to a substantial extent, was to be expected with the completion of Darlington. I think with that shedding of 6,000, it probably brought us back to where we were just about the day Darlington began. The cost of that attrition is about two thirds of a billion dollars. I think it's 600-and-some-odd million bucks. I can't remember the cost per person, but it was very high.

We are now on the verge of another reduction, expected to be in the neighbourhood of 1,500, and that will probably cost another \$400 million, I'm told. So we are going to have a reduction of probably 5,500 to 6,000 employees, costing the Ontario Hydro corporation and the ratepayers out there a billion bucks.

Hon Mr Wildman: But a saving in the long run.

Mr Conway: The minister says, "With a saving in the long run." Well, God hopes so. I know when the people from Hydro came to explain to me some of the red ink, they were telling me that these separation packages were costing a lot more than anyone expected, and in fact they were—

Hon Mr Wildman: More took them.

Mr Conway: Well, yes, more took them, and in fact the member from Lanark I think is right when he says it's very interesting who took what. We have lost at the

corporation perhaps some of the people we did not want to lose.

But the point I want to make is that there are huge changes going on at Hydro, and the expectation one has is that there is going to be a CEO who is on a daily and an hourly basis superintending that change.

We know what that Hydro culture is like. We know what it has been over the decades. My, my, my, we need only to hear my good friend from Montague township to understand how deeply imbedded that Hydro culture is in many of its staff. And that's not a bad thing, but the ethic that is running the new Hydro is certainly not going to be the ethic that ran the old Hydro, and it concerns me when I hear that the man who was brought in to make and to implement these changes is now kind of retiring to some kind of supernumerary function and he's going to be one of those C.D. Howe dollar-a-year men who will just provide, from time to time, direction and he will surrender everything else to Dr Kupcis. I just want to raise that concern tonight, and I have to believe there are many in the government who privately share that concern as well.

I want to make a final point, because, as has been indicated by a number of other people, there are huge changes currently afoot at Hydro and many more to come. The utility business, the electricity business, is changing as we speak. Those of us who have grown up with the kind of Ontario Hydro that the member from Lanark describes more felicitously than I could ever hope to is going to be, is now being, replaced by a new Ontario Hydro. There is no doubt.

I don't think we've yet seen the final shape of that new Hydro. What I quite frankly expected about a year ago was that the minister, the esteemed member for Algoma, would bring to this assembly a white paper dealing with some of the key questions about a new Hydro. Who would do what? I know our friends at the MEA are busily at work on a look at a reconfigured electricity industry in Ontario. My friend from Lanark has quite effectively indicated what some of the possibilities are.

It will be very important, I believe, for this Legislature, and soon, to become seized of those main policy questions. There's a lot of worry around about some kind of wholesale privatization. That can't, won't and shouldn't happen. But the kind of monopoly we have known over the last 80 years is not going to continue. One looks at Bell Canada today and one sees some possibilities that just five and 10 years ago were scarcely imaginable, and we've got to anticipate some of those changes occurring in the electricity sector.

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We are going to have to, as legislators, irrespective of our political affiliations and our past, recognize that whether you are a farmer in Renfrew or a single parent living in an apartment in North York, you are going to be continually concerned about the cost of this gargantuan called Hydro.

The minister says, "We have lowered the rates by 0.7% this year," and he has. But for whatever reason, those rates were raised by nearly 40% in the early part of this decade.

Hon Mr Wildman: We have to remember the reason.

Mr Conway: Well, I'm not going to get into religion tonight, and it is, quite frankly, a religious, theological debate. When the New Democrats of today get going on about nuclear, I'm reminded about the late, sainted Bill Temple. Bill Temple, a great CCFer from High Park, thought booze was the devil incarnate. Some of these people, many of these people believe—I think the minister believes—that the nuclear commitment was evil incarnate. I can't debate that with them and I don't intend to.

But let me say in conclusion that we have important policy questions around the future of Hydro, and it is high time that we had a policy paper before a select committee of this Legislature to look at the new mandate: what kind of third-party access there will be to the grid, what kind of differentiation we can now have in transmission and differentiation between Ontario Hydro and the municipal utilities. I say, Minister, that we should, as a Legislature, get to that task as soon as we can, but in the interval, Bill 185 deserves to be supported, and supported by all concerned.

The Speaker: I thank the honourable member for Renfrew North for his contribution to the debate and invite any questions and/or comments. Is there further debate?

Mr Tilson: Hopefully, all of us in this House support this bill. I know we in our party do. My comments are going to be very brief, simply to explain the urgency that came from a particular group in my riding, the town of Caledon, which has been looking for amendments to this piece of legislation for some time. I have some notes which I'd like to try and summarize. They were given to me by a town councillor and also a Caledon Hydro commissioner by the name of Peter Wylie, who explained to me—and I'm sure this is typical throughout the province of Ontario. His comments are:

"Caledon Hydro services 2,500 customers with no opportunity for growth. 'Caledon Hydro' was 'Bolton Hydro' prior to the implementation of regional government. The operating area is still the limit of the old village of Bolton as it was at the time of regionalization.

"Due to development around the old village of Bolton, the urban area is now more than twice the size of the original village area. This means that there are instances where neighbours, literally next-door neighbours, are paying different hydro rates, because one is served by Caledon Hydro and the other is served by Ontario Hydro. Incidentally, Caledon Hydro rates are lower than those of Ontario Hydro even though the Ontario Hydro rates are subsidized.

"Current legislation prevents staged or partial expansion of Caledon Hydro service area boundaries. This means that any expansion under the current legislation would mean that Caledon Hydro would be required to service the entire town of Caledon, which covers approximately 270 square miles. This is an area larger than Mississauga and Brampton combined. With the exception of the urban area of Bolton, the town of Caledon is mainly rural. The Bolton service area is now approximately three square miles.

"For Caledon Hydro to expand to take over the entire municipality of the town of Caledon, it would involve borrowing approximately \$20 million for the purchase of the Ontario Hydro infrastructure, ie, poles, wire, transformers, meters etc, that are part of the Ontario Hydro system within Caledon. This tremendous debt load would be carried by a total of only 14,000 customers, which would increase the hydro rates to an unacceptable level for the present Caledon Hydro customers."

The final point Mr Wylie makes is:

"A far more acceptable alternative is that which is provided by these proposed amendments to the Power Corporation Act. The amendments will permit a utility to expand in economical controlled stages rather than one large expansion to cover the whole town. Specifically as it relates to Caledon Hydro, it would enable the utility to expand to cover the area of foreseen or planned development in the Bolton area as an initial expansion. As time goes on, further economical controlled expansions would mean that Caledon Hydro would eventually service the whole of the municipality."

I'm sure this is typical of many municipalities around the province of Ontario and I would encourage all members to support the legislation.

The Speaker: I thank the honourable member for Dufferin-Peel for his contribution to the debate and invite any questions and/or comments. Is there further debate? Seeing none, I recognize the honourable Minister of Environment and Energy.

Hon Mr Wildman: Thank you very much, Mr Speaker. I want to thank my colleagues in the House for their participation in the debate and the support for the legislation on second reading. I am one of those rural Ontario Hydro customers who will not benefit from this legislation, but I do understand the points raised by my friend from Dufferin-Peel and others about the advantages of the changes in the boundary legislation to allow municipal utilities to expand on a staged and incremental basis.

I listened with interest to the comments made by my friends across the way with regard to their attitudes about the future, the present and the past of Ontario Hydro. I found it interesting that there seems to be a sort of schizophrenic view of the present chair of Ontario Hydro. The attitude seems to be, "Well, he may have done a good job but we're not sure, and we're not quite ready to admit that perhaps some of the changes that have been made in Ontario Hydro over the last period of time during his stewardship were indeed needed and should have been initiated before, perhaps even before 1990."

The fact is that Ontario Hydro faced a serious crisis and the government recognized that and came to the conclusion that we needed to have an individual at the helm who could indeed take difficult decisions and carry through on those decisions with the support of the government and the members of the House. I think all of us have to recognize that Mr Maurice Strong has indeed carried out that mandate and has fulfilled a role that very few individuals, even with his ability, might have been able to carry out without the support of this government and the recognition that there had to be major changes in

terms of downsizing and making more efficient the operation at Ontario Hydro.

The suggestion was made that Mr Strong has somehow let the Premier down; I think that's what my friend from Renfrew North said. I think that is most unfair. On the one hand, the member for Renfrew North said that the chair should be using, I think he said, his full-time energies in the service of Ontario Hydro and the ratepayers of this province. On the other hand, he says that in doing that, Mr Strong has somehow let the Premier down. I just don't accept that.

He is quite right when he says the ethic of the new Hydro cannot be the ethic of the old Hydro. That is clear. But in order for us to be able to determine what the new ethic must be, we must be prepared to look at where we were and how we got to the crisis situation that we have now been able to deal with, and Mr Strong has been able to deal with, to the point where we have for two years running frozen rates and for the first time in 30 years lowered slightly the industrial rate.

My friend from Renfrew North referred to it as "religion" to refer to the reasons why we reached this crisis at Ontario Hydro. I don't think it's religion. I don't think it's ideology. It's a matter of economics. In 1975 and prior to that when the then Conservative government talked about the need to build a new major nuclear facility, there was a major debate not only in this House but across the province. We all engaged in that debate, and I know the positions taken by my friends from Renfrew North and Lanark-Renfrew with regard to nuclear. I understand their position; I don't accept it, but I understand it. But I think it's important to understand my position as well.

I come from an area which has employed many people for many years in the nuclear industry, in uranium mining. I've supported the work of the Steelworkers in improving the health and safety of those operations over the years and I've supported the Steelworkers in their efforts to protect their members in this new downsizing and changing of Ontario Hydro that has affected their communities. But I have always looked at nuclear not as a question of ideology or religion but as a question of economics. In 1975, when we were engaging in that debate, I did not believe, and I said I did not believe, that Darlington was economic and would serve the economy of this province well, and I didn't believe it when the Liberals came to power, and I still don't believe it. And frankly the evidence proves we were right.

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The fact is, when the Conservatives started talking about Darlington, it was estimated at \$4 billion. Then it escalated to \$7 billion. When the Liberals came to power and looked at it and decided, well, they would complete Darlington, it had escalated further, to the point where when it was finally completed, it was about \$12 billion to \$14 billion. The interesting point is that because of Ontario Hydro's accounting practices, we didn't pay for any of that until it came on stream, so suddenly we were faced with this enormous debt that we had to deal with, and then when we raise this, the members opposite say this is ideology or religion.

The fact is, it's pure economics. We had to deal with that debt. You didn't have to deal with it and you made the unwise decisions to build this operation. You didn't need it, we don't need it, Ontario doesn't need it, and now we're stuck with the debt—an interesting point.

I listened to these gentlemen speak, Mr Speaker. The member for Renfrew North said it was religion. I suppose with my friend from Lanark-Renfrew it is a matter of faith.

Mr Jordan: It's good business.

Mr Turnbull: What did you sell to China?

The Speaker: Order.

Hon Mr Wildman: I didn't mean to be provocative. The members opposite—

Mr Turnbull: What did you sell to China? Just tell us what you sold to China.

Hon Mr Wildman: It's late, Mr Speaker, and we want to complete this debate. I do think it's important that there was a suggestion of a lack of confidence in Ontario Hydro. I think that's true. There was a crisis of confidence when, in the early 1990s, we saw the enormous rate increases related to the debt that came on stream, that we had to pay, for the construction of Darlington.

There were a lot of industries in this province that raised concerns about whether they would be able to remain competitive and whether there would be new investment in this province. We made the changes required to make it possible for us to end those escalations in rates and even, for the first time in 30 years, to have a slight decrease. We maintained the reliability of the system. And I want to make one thing clear. This government, and I'm happy to hear my friend from Renfrew North say the same sort of thing, is opposed and will remain opposed to the privatization of this great utility, because we have been able to make the changes to make it economic as a public utility. We will continue to operate it in the interests of the ratepayers of this province, and I'm proud to say we had the guts to make those changes.

The Speaker: Mr Wildman has moved second reading of Bill 185, An Act to amend the Power Corporation Act. Is it the pleasure of the House that the motion carry? I declare the motion carried.

Shall the bill be ordered for third reading? Agreed.

ASSESSMENT AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI
SUR L'ÉVALUATION FONCIÈRE

Resuming the adjourned debate on the motion for second reading of Bill 197, An Act to amend the Assessment Act / Projet de loi 197, Loi modifiant la Loi sur l'évaluation foncière.

The Speaker (Hon David Warner): When we left off, I believe the honourable member for York Mills had the floor. He may resume his speech.

Mr David Turnbull (York Mills): Once again we get to rather an important tax issue, one which I can say that all parties in the House agree with, to the best of my knowledge. But it is—

Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs): Then how can you be speaking to it?

Mr Turnbull: I heard some noise.

We're getting to it at midnight, and it deserves some detailed study. Unfortunately, I will be closing down the debate a few minutes after starting it, as I did the other night.

Bill 197, the so-called mall tax, is what has been referred to as a brokered solution in that a court decision which was rendered last year would have moved some \$14 million of property taxes from the large anchor tenants in some 22 shopping malls in Metropolitan Toronto on to the smaller tenants and would have undoubtedly driven them out of business. Some of the larger landlords recognized this and managed to broker a solution between the anchors and the small tenants.

But it's worth considering the background in terms of how this happened. Typically, a large landlord has offered an inducement to a large anchor tenant to come into a shopping mall, and it's not unusual for a shopping mall anchor tenant to be paying one tenth the amount smaller tenants pay on a per-square-foot basis. I would put to you that it seems rather ludicrous that the tax system should seek to extend that benefit that the landlord has given to the anchor tenant, because the services are quite equal in terms of the consumption of the services by the large anchor tenants.

In fact, when you look at shopping plazas with perhaps a food store, it can be argued that you will have more traffic on a per-square-foot basis in the food store than you will in some small dress shop and therefore there will be a greater consumption of services, use of police, of ambulances and so forth, and yet this flawed tax system that we work under would have extended that.

The compromise that has been reached is something between a square-foot tax, allocating the tax on a square-foot basis, and market value. The principle here is that one can allocate taxes on the basis of square foot as opposed to just market value. Market value works extremely badly in Metropolitan Toronto and to the detriment of a lot of businesses. We have seen a lot of businesses which have moved from Metropolitan Toronto to places immediately outside. In fact, a lot of unemployment is occurring because of that, and the city is experiencing a reduction in tax revenues for this reason.

The brokered solution moves some \$8 million back to the anchor tenants of the \$14 million that would have landed with the small tenants. What we need is fundamental tax reform, a tax reform which I had hoped we may have seen from this government because it in fact went into having the Fair Tax Commission. The Fair Tax Commission reported a year ago that education should be taken off property taxes, but the government has done absolutely nothing with that recommendation.

In fact, this is the government which used to pour scorn on the previous Liberal government, with some justification in that they took away all of the education support. The Liberals took away all of the financial support for education in Metropolitan Toronto that the

province gave and moved the entire cost of education on to the poor property taxpayers.

The government suggested in the last election that it was going to come to paying 60% of the cost of education through the province. They have totally failed to live up to that promise.

I see, Mr Speaker, that you're eager to go home, so I will suggest that once again we will adjourn the debate and I will continue my words the next time we meet.

The Speaker: I thank the honourable member.

Is there a business statement? The Solicitor General.

BUSINESS OF THE HOUSE

Hon David Christopherson (Solicitor General and Minister of Correctional Services): Pursuant to stand

ing order 55, I wish to indicate the business of the House for Tuesday, December 6.

On Tuesday, December 6, we will give third reading consideration to Bill 173, the Long-Term Care Act. Following that, we will give third reading to Bill 171, sustainable forestry; third reading consideration to Bill 185, amendments to the Power Corporation Act; third reading to Bill 107, Ryerson pensions; third reading to Bill 190, the Securities Amendment Act; and second reading to Bill 197, the Assessment Amendment Act.

The Speaker (Hon David Warner): It being past 12 of the clock, this House stands adjourned until later today at 1:30.

The House adjourned at 2401.

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No. 167A

N° 167A

ISSN 1180-2987

Legislative Assembly of Ontario

Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Tuesday 6 December 1994

Journal des débats (Hansard)

Mardi 6 décembre 1994

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers



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1944–1994

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 6 December 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 6 décembre 1994

The House met at 1333.

Prayers.

ESTIMATES

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): I have a message from the Honourable the Lieutenant Governor signed by his own hand.

The Speaker (Hon David Warner): The Lieutenant Governor transmits estimates of certain sums required for the services of the province for the year ending 31 March 1995 and recommends them to the Legislative Assembly.

MEMBERS' STATEMENTS

CHAMPLAIN BRIDGE

Mr Robert Chiarelli (Ottawa West): I have with me today petition cards for the Minister of Transportation from over 1,500 constituents from my riding of Ottawa West and adjacent neighbourhoods. They're opposed to any expansion of the capacity of the existing Champlain Bridge because it would significantly increase car and truck traffic through residential neighbourhoods, creating noise, pollution and safety hazards, and reduce property values.

They also oppose the expenditure of tens of millions of Ontario dollars on a project which would be detrimental to Ontario residents.

They do support a north-south commuter rail service and a bridge in the township of Cumberland which would connect to a city bypass, and urge you to reject any new bridge construction in established communities.

The minister should know that last year Ottawa-Carleton council passed a motion to pull out of a federal-provincial study examining a site for a new interprovincial bridge and also to reject car bridges at all four proposed locations. I hope he understands that his government cannot construct a new bridge where the people don't want one.

The views of these constituents, members of the Communities Before Cars Coalition, and thousands of other citizens across the region are not to be taken lightly. They will not accept unilateral decision-making on the part of the government in the way that it addresses this very important transportation planning issue.

MAGAZINES AND COMMUNITY NEWSPAPERS

Mr Ted Arnott (Wellington): In Ontario today, magazines are eligible for up to \$70,000 in grants per year through the Ministry of Culture, Tourism and Recreation, but by subsidizing magazines through these provincial grants, the NDP government in effect becomes a financial partner in helping some magazines compete for advertising revenue against community newspapers, which are not entitled to receive these grants.

I wrote to the Minister of Culture, Tourism and Recreation earlier this summer on this matter and the Ontario Community Newspapers Association also has conveyed its concerns to her. She responded by suggesting that Ontario magazines face competition from their US counterparts and require assistance from the government.

The minister fails to recognize that community newspapers also have a difficult time competing, with high taxes and with Bill 40. This situation has been exacerbated by the unequal playing field which the NDP government has created through these grants.

In a recent letter I received from Harry Stemp, executive director of the Ontario Community Newspapers Association, he states:

"While some magazines may be faced with unusual competitive situations, the same holds true for community newspapers as well. Daily newspapers, magazines and the electronic media are increasingly chasing advertising revenues from those who have traditionally used community newspapers.

"Our association does not believe that the publishing centre should be spending several millions of dollars annually in the form of grants and subsidies for items which we in the community newspaper industry would consider to fall within the realm of normal operating and capital expenditures."

I agree with Mr Stemp, and once again I urge the minister to reconsider the government's arbitrary subsidization of one segment of the print media, magazines, which directly competes against another segment, community newspapers.

VIOLENCE AGAINST WOMEN

Mr David Winninger (London South): I rise in the House today to reflect on the murder of 14 women on this day five years ago at Montreal's École polytechnique. Across Canada and across Ontario, we remember this brutal and shocking event. London, Ontario, is internationally respected for its community response to women abuse. We know, sadly, that violence against women is not a minor and isolated occurrence.

Today, in Victoria Park in London, a monument designed by Leigh Raney will be dedicated to women who have died as a result of violence.

Every day for the past 10 years, the London Coordinating Committee To End Women Abuse has worked to inform and educate our community about the effect violence against women has on all of us. The statistics are clear and our federal Justice minister reported that a woman is shot to death in Canada every six days, most often at home and by someone she knows.

Taking action to end violence against women means

that we take the problem seriously by developing an integrated response by our justice, medical and social service agencies. London's police services were the first in Canada to instruct officers to apply the Criminal Code to wife assault. Our police statistics continue to show a dedicated effort to ensure that violence against women is criminal behaviour which our community will not tolerate.

We must respond to the crisis of violence against women. I feel that the monument unveiled today in London's Victoria Park in commemoration of victims of violence is a solid reminder that will strengthen us in our efforts to end violence.

1340

CASA ABRUZZO HOUSING PROJECT

Mr Joseph Cordiano (Lawrence): I rise in the House today to share with members of this Legislature the blatant electioneering campaign undertaken by Premier Bob Rae and his comrades.

Two days ago, the NDP organized the ground-breaking of the non-profit housing complex Casa Abruzzo, located in my riding. In spite of the long hours which many community members have contributed to the project, none of their efforts were recognized. While I fully expect the NDP to completely disregard my efforts to ensure this project was successful, I'm upset that the NDP failed to recognize the efforts of the community.

I would like to formally recognize the hard work of the Keele-Falstaff Ratepayers Association for their contributions, along with Metro Councillor Judy Sgro, Mayor Mel Lastman and members of North York city council.

I must also correct the Minister of Housing, who attended this NDP re-election roadshow and displayed just how misinformed he is of the Liberal position on non-profit housing. I guess he must have been asleep in the Legislature on the numerous occasions when I and my leader, Lyn McLeod, spoke of non-profit housing.

I called for the moratorium on the construction of new non-profit housing units in June 1993 after the Provincial Auditor's scathing report on the mismanagement and misallocations uncovered at the Ministry of Housing. What we are taking issue with is the fact that the NDP mismanagement of the program is threatening its very viability. It is precisely because we know that there is a need for non-profit housing that we want to see the program assessed and adapted to the economic realities of the 1990s.

DEVELOPMENTALLY DISABLED

Mrs Margaret Marland (Mississauga South): Last December, this House voted 51 to 4 in favour of my private member's resolution calling for reform in how we support persons with developmental disabilities. A year later, it is time to review our progress in this regard.

I called for a change in how support is funded. Developmentally disabled persons and their families should receive funding directly. Community agencies would help their clients develop individual support plans and would deliver the supports that their clients request. The Minister of Community and Social Services has promised that the policy framework for developmental services will

emphasize this new approach, but when will he deliver the framework?

One area of progress is the ministry's use of the community innovation fund for pilot projects in individualized funding, including a project in Mississauga. It is important that the ministry communicate the results of these projects to help communities understand how this new approach to funding would work.

In conclusion, some progress has been made since the House passed my resolution last December. However, there still is not nearly enough support for persons with developmental disabilities.

In Mississauga, we urgently need more support in four critical areas: (1) in-home support; (2) vocational day programs for adults; (3) support to persons needing a high level of care; (4) support for senior parents.

For families who need help, the situation has worsened in the past year. The government must move rapidly to give them the help they so desperately need.

ITALIAN CANADIAN COMMUNITY

Mr Anthony Perruzza (Downsview): Today, the National Congress of Italian Canadians has issued a press release calling upon the federal Liberal government to immediately erase the criminal record of internees of Italian origin whose civil liberties were denied during the Second World War. I add my support and urge the support of the House towards this very important venture, which would only begin to address the injustices heaped upon this community during the 1940s.

Although former Prime Minister Brian Mulroney formally apologized to internees of Italian origin in 1990, he failed to follow through with the remainder of the national congress's requests. At that time, I raised this issue at North York city council. North York, Metro council, Hamilton city council, the Toronto Board of Education and many others added their voices to the call for reparations.

Financial reparations have not been addressed. Entire family businesses were obliterated and assets seized and not returned, even after no criminal charges were laid. Our community cries out for justice.

I call upon the federal Liberal government to act with haste and erase any criminal record against the internees. Due to the advanced age of these people, we can wait no longer. For some, it is already too late.

VIOLENCE AGAINST WOMEN

Ms Dianne Poole (Eglinton): Today, we commemorate the memory of 14 young women who were gunned down at l'École polytechnique in Montreal five years ago. As we mourn for them, let us also consider the ways in which each one of us can do our part to eliminate the violence which is so prevalent in our society today.

I was deeply concerned upon learning that several of my male colleagues have been barred from participating in events aimed at ending violence against women. One was barred from a Take Back the Night march, another was not allowed to join the mourners at a commemoration for the victims of the Montreal massacre. Why? Because they are men. They were told these events were for women only.

Violence in our society is not only a woman's issue. It is not only a men's issue. It is an issue of concern to every man, woman and child in this province and in this country.

I am convinced that the only way we can effectively curb the violence is for men and women to work together. While it is true that the majority of perpetrators of violence are men and the majority of victims are women, we must not assume that all men bear the guilt. Instead, we must harness the efforts of the many men who share our concern. Together we can help one another.

We will never erase the memories of the tragic Montreal massacre, but together we can prevent this tragedy from ever happening again.

TRUANCY

Mrs Dianne Cunningham (London North): On June 16, 1994, my private member's resolution unanimously passed second reading. Action is needed by the Minister of Education and Training concerning habitually absent students and a change to the fiscal year of school boards.

The resolution urges the Ministry of Education and Training to continue with its intent to change the school board fiscal year to coincide with the school year, September 1 to August 31. It now coincides with the calendar year, which makes it very difficult for school boards to efficiently plan their budgets.

On October 20, I received a letter from the minister stating that this change would be considered for implementation after the Royal Commission on Learning has reported.

On June 7, I asked the minister if he would make changes to the Education Act with regard to habitually absent students. As a result of the present confusion and lack of clarity in the act regarding habitual absence, judges in some jurisdictions refuse to hear truancy cases. Many attendance counsellors working throughout Ontario share our concern on behalf of parents and students. The minister responded that any amendments to the Education Act that would come forward in a comprehensive way would come after the royal commission reports.

Minister, we know hear that the royal commission is not due to report until January or even later. It was originally supposed to report this week. These are two very important issues that affect students. We have been urging the minister to make these changes for years. He now tells us that they'll be addressed in the report from the royal commission.

This government has passed on its responsibility for the last time. For this government, its time has run out.

ONTARIO LOTTERY CORP

Mr Tony Martin (Sault Ste Marie): The leader of the third party was in my community recently trying to sell the so-called Common Sense Revolution, if you can imagine. Having difficulty finding something to criticize, he took a cheap shot at one of the most respected corporate citizens in Sault Ste Marie, the Ontario Lottery Corp. It wasn't appreciated by the Ontario Lottery Corp, by me, by the citizens of the Sault or by the people of this province.

The Ontario Lottery Corp relies on a very high level of integrity for its work. As a business, they show a profit. As a corporate citizen, they are known in the community for being community-minded.

Mr Charles Harnick (Willowdale): How can't they show a profit? Remember, lotteries are a tax on the poor.

The Speaker (Hon David Warner): The member for Willowdale, order.

Mr Martin: As a major employer, they have created and preserved jobs. What's more, the dollars they generate go to recreational and cultural activities and to non-profit social services and hospitals across the province.

The OLC deserves respect, not cheap criticism. I'd put my money on them any day. I can only conclude that if cheap shots like this one are what The Common Sense Revolution is about, we need to call it the Common-Two-Cents'-Worth Revolution, because that's about what it's worth. I say, cheap shot and shame on you, leader of the third party.

VISITORS

The Speaker (Hon David Warner): I would like to invite all members to join me in welcoming to our chamber and indeed to our country, seated in the Speaker's Gallery, the Honourable Licia Kokocinski, MLA, from the Parliament of Victoria, Melbourne, Australia. Welcome.

Mr Paul R. Johnson (Prince Edward-Lennox-South Hastings): On a point of order, Mr Speaker: Dagmara Chojceki of Amherstview and Kierin Gorlitz of Wellington are with us in the Speaker's gallery today. They are the winners of an essay contest for senior elementary students in my riding, the topic of which was, "What would you do to make Ontario a better place?" I just wanted members to know copies of their winning essays are in the east and west lobbies for them to enjoy.

The Speaker: I'm afraid the member does not have a point of order. However, his guests are most welcome in our chamber.

1350

MEMBER FOR LEEDS-GRENVILLE

Mr Alvin Curling (Scarborough North): Mr Speaker, I rise on a point of privilege. Last night the member for Leeds-Grenville, Mr Bob Runciman, declared in this House statements about me personally that violated my privilege as a member of this Legislature.

I call your attention to subsection 46(1) of the Legislative Assembly Act, where it says:

"(1) The assembly has all the rights and privileges of a court of record for the purpose of summarily inquiring into and punishing, as breaches of privilege or as contempts and without affecting the liability of the offenders to prosecution and punishment criminally or otherwise according to law, independently of this act, the acts, matters and things following:

"1. Assault, insult or libel upon a member of the assembly during a session of the Legislature or during the 20 days proceeding or the 20 days following a session."

Mr Speaker, the quote went on like this: "Two Liberal cabinet ministers, Mr Wong and Mr Curling, attended his

funeral”—the funeral of Mr Lawson—“the funeral of a man shot by police in a stolen car attempting to run down two Peel Regional Police officers. Two Liberal cabinet ministers attended that funeral. What kind of message does that send out to police officers right across this province? Not a very happy one, not a very encouraging one.”

I have two points to raise, Mr Speaker. The first is that the statement is false. Mr Wong did not attend the funeral; he was not present. The second, which I consider more seriously, is that the member for Leeds imputed motives to me in that I attended the funeral solely with the intention to send an unhappy message and a discouraging message to the police of this province. I find these comments deliberately hurtful and vindictive. His comments were a gross violation of my privilege as a member of this Legislature. I'd like you to rule on this.

The Speaker (Hon David Warner): To the honourable member for Scarborough North, I certainly appreciate the concern which he has expressed. Unfortunately, he will know that since the matter was not dealt with at the time when the comments were made, there is no way in which the Chair can be of assistance to him today, the remarks already having been made last night and no attention paid to them at the time.

ONTARIO HUMAN RIGHTS COMMISSION

Mrs Margaret Marland (Mississauga South): Mr Speaker, I rise on a point of privilege today dealing with a decision of the Ontario Human Rights Commission about my attending a commission hearing on behalf of a constituent.

I was very careful in preparing for my request to attend the Ontario Human Rights Commission on behalf of a learning-disabled constituent who for seven years now has had a case before the Ontario Human Rights Commission. I wrote and received permission in writing from His Honour Justice Gregory Evans, wherein he said to me, “Pursuant to section 5 of the Members’ Conflict of Interest Act, 1988, it is my opinion that with the authorization of your constituent you are entitled to attend the meeting scheduled with Ontario Human Rights Commission staff members and represent your constituent, not only in the meeting but in any hearing which may be held.”

I have now received the reply from the Ontario Human Rights Commission on my request to attend on behalf of my constituent, who no longer can afford a lawyer or any other advocate in a paid capacity. They have now denied me the opportunity to represent my constituent in the hearing of his matter before the Ontario Human Rights Commission. For that reason, I would ask you to investigate it. I feel that as a member my privileges have been breached.

The Speaker (Hon David Warner): To the member for Mississauga South, I certainly appreciate the concern which she has expressed. I'm not sure if the member has a point of privilege. However, I'd be quite happy to take a look at it. I will endeavour to report back to the member tomorrow and to let her know if her point is valid or not.

STATEMENTS BY THE MINISTRY AND RESPONSES

OZONE-DEPLETING SUBSTANCES

Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs): In 1987, Canada signed the Montreal protocol promoting the end of substances such as chlorofluorocarbons, CFCs, which attack the ozone layer.

The ozone layer is located in the upper atmosphere and shields us from the sun's ultraviolet radiation, which has been linked to skin cancer and eye cataracts.

Our government made a commitment in 1990 to take action to meet the terms of the Montreal protocol, action needed to be taken to protect human health. I'm pleased to tell the Legislature today that our government has lived up to this commitment.

With the regulations I am announcing today, Ontarians can be proud of the fact that they now have the most comprehensive program on controlling ozone-depleting substances anywhere in Canada. I know that both the official opposition and the third party will be pleased with this announcement from the statements and questions they have raised on this issue in this Legislature.

Two years after signing the Montreal protocol, Ontario became the first province to pass legislation controlling the use and production of CFCs. Earlier this year, our government took action to control halons used in fire extinguishers and fire control systems. The halon regulation followed our regulation on CFCs and HCFCs used in refrigerants and air conditioners, including those in cars and trucks.

Today, I'm pleased to report to the Legislature that our government has finalized and passed into law two new regulations to control and phase out the use of ozone-depleting solvents and sterilants. Ontario is living up to its commitment to the people of Ontario and the Montreal protocol. The two regulations set a strict timetable for phasing out those solvents and sterilants which contain ozone-depleting substances.

The solvents are used in a variety of industrial cleaning processes. Many companies have already switched over from using ozone-depleting solvents in anticipation of the requirements of the Montreal protocol. Many of these companies are now helping smaller companies make the switch to ozone-friendly alternatives.

Sterilants are used primarily by hospitals to sterilize medical instruments and devices. Alternatives already exist and many users of sterilization units have already begun to make the switch.

These regulations are practical and workable. The most damaging ozone-depleting substances, those which destroy the ozone layer more quickly and last longer, will be phased out as of 1996. Those ozone-depleting substances which are not as damaging, but still have a negative impact on the ozone layer, will be phased out as of the year 2000. All these ozone-depleting substances, however, start an ozone-destroying process which lasts from 40 to more than 500 years. That's why it's important to act now, because what we do today really does matter tomorrow.

We have met with representatives from industry, unions, professional associations and the public about these regulations, and there is strong support from all quarters.

We said we would act, and I'm pleased to tell this Legislature that we have lived up to our commitment. Ontario now has a comprehensive program to control the release of ozone-depleting substances. In fact, almost 98% of these substances are now controlled by our regulations.

We also now have in Ontario companies searching for commercially viable alternatives to ozone-depleting substances. These regulations support Ontario's green industries and create jobs, proving again that protecting the environment and creating jobs are not at odds with one another but are complementary. We can, and especially in the case of substances that attack the ozone layer, we must do both.

1400

Mr Steven Offer (Mississauga North): I don't believe there is anyone in this Legislature or outside who will oppose the announcement made today, but I think we should be clear that the announcement made by the minister only partially comes into effect in 1996 and is fully in effect in the year 2000.

This was an issue that should have been addressed in 1990. This government has allowed five years to elapse before it has taken any action in this area. The question we have to recognize and answer is: What took the government so long? We must recognize that in 1990 the action could have been taken, and the announcement that the minister makes today will only come into effect fully in the year 2000. So in effect, we are talking about almost 10 years that the government, through its own inaction, has dealt with this particular issue.

Now when one listens to the minister's statement, there are certain areas that I believe still must be asked about. The first is, why is the phase-in period the length that the minister has announced today? Why is the phase-in period to 1996 and why is a secondary phase-in period to the year 2000?

Secondly, we must recognize that in no small measure, private industry, the private sector, has taken the lead in this area. The minister's own statement has clearly indicated that the private sector in the area of solvents in the industrial cleaning process has already switched over from using ozone-depleting solvents. As well, in the area of sterilants, many users of sterilization units have already begun to make the switch, and those I believe are fairly in the words of the minister's statement today. So we must recognize and applaud the work done by the private sector in dragging government into action, which has been announced today.

I believe there is a third area that we want to take a look at and that deals with what happens in January 1998. I think the regulation has to be looked at. What is going to happen with the existing material that is not caught with this particular regulation? What we have to do is ask, how is the existing material going to be disposed of? What is the strategy of the government in dealing with

the information, and the solvents and the sterilants that are already being stored and how is it that they are going to be disposed of in a safe, effective manner? And is the regulation—I do not know—clear on that particular issue? The minister's statement today did not allude to that particular area.

Now it is also very strange that the minister's statement today speaks of the word "commitment" on, I think, four separate occasions. I wanted to take a look at this document that was delivered to me. It was almost in a brown envelope, but it was called the Agenda for People of August 18, 1990. I thought, my goodness, maybe we should take a look at that and see how the words of the minister are transformed into action. The minister has, I think, on four occasions, minimum, spoken about his commitment, maintaining his commitment.

Well, let's take a look in the area of the environment. What does the Agenda for People say? New Democrats would pass the safe drinking water act right away. What action have they done? Nothing. They have redefined the phrase "right away." New Democrats would look at the issue of pop sold in refillable containers. What have they done to date? Nothing. Oh, there's one other: New Democrats would overhaul the air pollution laws. What have they done? Nothing.

The minister's own inaction is clear testimony to the fact that the Friends of the Earth has ranked Ontario and his government eighth out of 10 provinces for his efforts.

The Speaker (Hon David Warner): Time has expired.

Mr Offer: Though we have no opposition to the announcement, it is clear—

The Speaker: The member's time has expired.

Mr Offer: —that you have not met the commitment that you made to the people of this province.

Mr David Tilson (Dufferin-Peel): I congratulate the minister for bringing forward these regulations. I think all of us on all sides of the House, all representatives of industry and the general population approve of what you are doing.

I do echo some of the comments from my colleague the Liberal critic, as you can well expect. There is a little bit of cynicism when you make comments in your statement that we must act now, notwithstanding the fact that Canada signed the Montreal protocol in 1987, which was almost eight years ago, that the government made a commitment in 1990, your statement states, which was almost five years ago, and the fact that it's going to be phased out as of 1996 and the year 2000.

I guess our major criticism is, what have you been doing so long? Why have you taken so long to take action? As good as it may be, the question is, why have you taken so long, particularly when you have stated how serious these ozone-depleting substances are? And I think we all agree with that.

I think the problem is that you have utterly consumed yourself, perhaps you and your predecessor before you, with respect to waste management, with respect to the three dumps—

Hon Mr Wildman: With MISA.

Mr Tilson: You mention MISA, and of course MISA is another story. The Provincial Auditor's report made it quite clear two years ago that we have water quality problems in this province.

Hon Mr Wildman: No, he didn't.

Mr Tilson: He certainly did. He said that the MISA program is beyond the capabilities of municipalities. We definitely have a water problem in this province, because this year, then, he started talking about water quality, and you expressed your frustration and your inability to deal with the criticism of the Provincial Auditor when he made it quite clear that there are municipalities in this province that may have bad water and they don't even know it, because it takes all that period of time to determine whether or not there's bad water in this province.

The question is that the ministry simply isn't testing our water in this province satisfactorily, to the requirements of the Provincial Auditor and the people of this province.

When you start making statements like that, I think that gets back to my initial comment, which is that your whole issue that you've been consumed with is with respect to dumps. You will not recognize the gases that emit from dumps and that indeed, whether it's methane or any other types of gas, have an effect on the ozone. I think we all admit that, yet there have been no steps by your government to study that.

There have been great strides across Europe, across the United States, to talk about the gases that have escaped from energy-from-waste facilities, from incineration, and there have been great strides to improve that. There have been no strides with respect to dumps, particularly by this province. You have ruled out energy-from-waste facilities. You have ruled out long rail-haul to other, willing host communities. You have committed yourself to putting three superdumps surrounding Toronto which are going to have serious health problems for the people of this province, which are going to affect the water of this province and which are going to affect the overall wellbeing of this province, whether it be sociological or otherwise.

I think that's been your problem. That's why it has taken you all this time to come up with this very important policy. There's a whole slew of issues that you have ignored, and this is one of them.

I do congratulate you when you come forward with something like this, but I get concerned with the contradictory aspect of your waste management policy, and I zero in specifically with respect to dumps.

You can talk about the tire tax. The tire tax is another issue that was raised. The Liberals imposed this tire tax. You and our party fought that. But what did you do?

Hon Mr Wildman: We got rid of it.

Mr Tilson: You did get rid of it, but it took you all that time and still you have not devised a means of getting rid of tires in this province, which in turn is going to have an effect—

Hon Mr Wildman: There's 40% recycling.

Mr Tilson: What you're doing is a lot of these tires

are being shipped to the United States and being burned. You have no plan with respect to the disposition of tires, so you take the tax off and yet you haven't come forward with another alternative.

Mr Speaker, I congratulate them. How can one not congratulate the minister with respect to this policy? I think we all do that. But I tell you, to take 10 years to come up with this solution is simply not satisfactory, particularly with many of the other problems that you've omitted.

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): Mr Speaker, I believe we have unanimous consent for all-party statements on the provincial Day of Remembrance and Action on Violence Against Women.

The Speaker: Agreed? Agreed.

1410

DAY OF REMEMBRANCE AND ACTION ON VIOLENCE AGAINST WOMEN

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): I am rising today to remember and commemorate the 14 young women who were murdered in Montreal five years ago. Today is the fourth annual provincial Day of Remembrance and Action on Violence Against Women. This is an important day of remembrance for all of us.

It is a time to reflect on the talent and potential of the women who were murdered in the Montreal massacre, their lives destroyed at the hands of a violent killer, and it's a time to remember the families of these women. It is also a time to remember the thousands of other Canadian women who have been and who continue to be physically and emotionally abused, sexually assaulted and murdered. Today we mourn the women killed in Montreal and we grieve the violence against women that continues each and every day.

More than half of the women in this country have been physically or sexually assaulted, using the Criminal Code definition of these crimes, at least once in their adult lives. One in four of us is sexually assaulted during her lifetime, and more than half of women in the workplace have experienced sexual harassment or threats.

Tragically, violence against women is an everyday occurrence in our society. This violence also knows no social or economic boundaries, and its victims are our family members and friends, our neighbours and our colleagues. This is the sad reality we must remember this December 6, this day of remembrance. But this is a day of action too. It is a day to consider and to take real steps to stop the crime of violence against women.

All of us can attend a vigil today to make our voices heard. We can wear a meaningful symbol like a button or a white ribbon to signify our commitment to stopping violence against women. We can also volunteer our time with women's groups, shelters and other organizations working towards a safe and equal society for women.

As parents, we can raise our children without stereotypes. We can teach our children to solve their problems and express their feelings without resorting to violence.

As employers, we can make sure our workplaces are

free of sexual harassment and that they are safe environments which encourage all employees to relate to one another in healthy, non-power-based ways.

As individuals within our families and our communities, all of us, men and women alike, can support a woman who has been abused by talking to her, by offering her our support. We must call for help when we see or hear of a woman being hurt, and we must provide our support for community services like the police, shelters and counselling agencies.

We can and we must continue to chip away at attitudes that allow violence against women to continue. These attitudes are rooted in gender-based concepts of power and control. We must learn to share power with one another if we are to attain an equal, supportive and non-violent community.

There are many things that all of us, as individuals and as groups, can work on to help end this terrible crime of violence against women. Today we must remember, we must never forget, and we must resolve among ourselves that the tragedy of December 6 in Montreal in 1989 will never happen again.

I would ask that my colleagues in the government caucus and all those across the floor join me now in a moment of silence as we remember the 14 young women who were so tragically lost to us five years ago today and all the women who have been victims of violence before and since.

I will read out the names of the victims of the Montreal massacre so that we can think of each woman as we remember and pledge ourselves to renewed action to end violence against women. The 14 women were Sonia Pelletier, Hélène Colgan, Nathalie Croteau, Barbara Daigneault, Anne-Marie Edward, Michèle Richard, Maryse Laganière, Maryse Leclair, Anne-Marie Lemay, Geneviève Bergeron, Barbara Maria Klucznik, Annie Turcotte, Annie St-Arneault and Maud Haviernick.

Mr Speaker, would you ask for a moment of silence.

Mr Michael D. Harris (Nipissing): On a point of order, Mr Speaker: Could the other parties please participate before the moment's silence?

The Speaker (Hon David Warner): It will be agreeable that the other parties speak, and the leader of the official opposition.

Mrs Lyn McLeod (Leader of the Opposition): I participated a little earlier in a very moving memorial to the 14 women who were killed at l'École polytechnique in Montreal on that tragic night of December 6, 1989. I was equally moved by a tribute that I saw on television on Sunday night with pictures of each of these beautiful, vital young women, any one of whom could have been one of my daughters. I cannot imagine being one of the parents who received those terrible phone calls that day and I can only begin to imagine the grieving that will still be only too real for the families and the friends.

There are so many unexpected tragedies that can suddenly strike, but we are particularly shocked by senseless random killing because it is so deliberate, because we know that it should not have happened and because we feel somehow that we should have been able

to prevent it. Random killings shock us too in the realization that the victims died just because they happened to be there. At l'École polytechnique, they died because they happened to be there and because they were women, and that's the focus today of our remembered horror and our grief and of our determination to do everything possible to ensure that it never happens again.

I do not believe that we can or that we should draw broad and sweeping generalizations from the murders at l'École polytechnique, but we can, and I believe we must, ask why a twisted mind expresses itself in crimes of violence against women and why we tolerate the slasher and the snuff films and the serial-killer cards that feed that kind of sickness.

We need to acknowledge that while this is the extreme, there is much other disturbing evidence of violence directed against women, statistics that suggest that one out of eight women in Canada each year is assaulted by her spouse or partner, statistics that one out of every four women will be sexually assaulted in her lifetime.

What does that statistic say to a mother of four daughters? Last year in Canada, 164 women were murdered by their spouses. Last weekend, three women were murdered very close to where we all live.

We still have a long way to go to make women safe and free from hurt, but too many tragedies have certainly heightened awareness of the need for action, and people are acting. Men and women are acting. They're banding together to take back the night, taking steps to make our neighbourhood safer, acting to control access to the weapons of violence and to get tough on those who commit violent crimes.

There is more that must be done. We must not simply accept a justice system which allows drunkenness as a defence for rape. We must be prepared to deal with violent sexual offenders, we must not tolerate abuse in any form, but we must focus our concerns not solely on the tragic outcomes of violence but on its root causes.

We must be ready to take the next necessary steps if we are truly committed to doing all that we can to end the violence, if we want to do all that we can to ensure that our daughters are not afraid to walk alone at night, that they are not vulnerable at home or at school or in the workplace, not just because they are there but because they are women. Only if we pledge ourselves to this goal can we draw anything but tragedy from what happened at l'École polytechnique.

1420

Mrs Elizabeth Witmer (Waterloo North): Today at noon I also participated in the Women's College Hospital candlelight vigil to commemorate the fifth anniversary of the Montreal massacre. It was five years ago today that 14 young, beautiful women were senselessly murdered, and since that time millions have gathered each year at vigils such as this to share their shock, anger and sorrow and make a commitment to make a difference.

This vigil today was a powerful and moving event which reminded all of us not only of the tragedy and horror of that day but also of the fact that violence against women and children continues to escalate in our

society. It also reminded us that we treat our daughters very differently from our sons, and I want to just quote from Stevie Cameron when she says:

"When they are born we see their futures as unlimited, and as they grow and learn we try so hard to protect them: This is how we cross the street, hold my hand, wear your boots, don't talk to strangers, run to the neighbours if a man tries to get you in his car."

"But as they grow and learn, with aching hearts we have to start dealing with their bewilderment about injustice."

"And as they grow and learn we have to go on trying to protect them: We'll pick you up at the subway, we'll fetch you from the movie, stay with the group, make sure the parents drive you home from babysitting, don't walk across the park alone," lock the door if we're not at home.

"It's not fair, they say. Boys can walk where they want, come in when they want, work where they want. Not really, we say; boys get attacked too. But boys are not targets for men the way girls are, so girls have to be more careful."

As they grow up we still warn them: "Park close to the movie, get a deadbolt for your apartment, check your windows, tell your roommates where you are. Call me."

Yes, as the mother of a daughter, I know that I treat her differently than my son.

Today we were urged by author Judy Steed to deal with the horror of the Montreal massacre and to break out of our collective trance and to make a genuine commitment to take action against the violence.

Ms Steed also said that it is time to acknowledge that the abuse of young children is one of the root causes of violence against women and children, since it is these abused children who later become those who are the batterers.

We in this House can do something about that. We must recognize this and we must take collective action and responsibility to help those children who are abused so that they do not repeat the vicious cycle of abuse. We must support children's counselling and support services, school abuse screening, child mental health programs, child care services and recreational programs for children which can offer affirmation and guidance.

We must also reject sexist language and behaviour which, no matter how casual or seemingly innocent, does contribute to the continuation of violent and abusive behaviour.

We must acknowledge and deal with the influence of media violence which we see in video games, movies and in the printed press. If we object to this media violence, we in this House and people across this province and country can write or call the TV station, the movie theatre and the program sponsors. We can boycott the products of people who pay for this violence.

Yes, there is much that we can do; however, if we are ever going to create a culture of safety, equality and justice for women, it is absolutely imperative that both men and women work cooperatively together in order that the day may come when no one, whether man, woman or

child, will ever again need to feel the fear of being abused.

Today, let each one of us personally consider what we can do to ensure that the tragedy of five years ago is never repeated and that no more women and children are abused.

The Speaker: I invite all members and our visitors in the galleries to please stand and bow your heads for a moment of silence.

The House observed a moment's silence.

The Speaker: Please be seated.

ORAL QUESTIONS

LONG-TERM-CARE REFORM

Mrs Lyn McLeod (Leader of the Opposition): My first question today, and a question of concern to many people in the gallery, I believe, is directed to the Minister of Health. I believe she is expected. May I have some understanding from the government House leader as to whether she will be arriving?

Mr James J. Bradley (St Catharines): I see her coming through the door, I think. The door opened.

Mrs McLeod: Shall I—

Mr Bradley: The door is open, I see. She must be on her way in.

Interjections.

The Speaker (Hon David Warner): Would you wish to stand down your first question?

Mrs McLeod: If the Minister of Health is not to arrive momentarily, Mr Speaker, I'll stand down the first question.

Mr Bradley: She is here. Ms Boyd said she'll be right in here.

Mrs McLeod: Ah, yes.

Mr Bradley: Here she is here. Here she comes.

Mrs McLeod: If I may, Mr Speaker, in deference to the concern of many people who are in the gallery, I will await the arrival of the Minister of Health so I can place my first question to the minister.

Mr Speaker, as you have gathered, my first question is to the Minister of Health. The minister will note as she arrives that once again the galleries are filled, and they are filled with people who would rather be out working in their communities than protesting today. They're filled with people who have spent years delivering care to seniors and the disabled in communities across this province.

Minister, these people are here to protest the passage of your long-term-care bill. Throughout this debate, the minister has insisted that we on this side of the House are manufacturing the opposition to this bill. I want today to read to the minister from just one of the thousands of letters my colleagues and I have received.

This is a letter from the WoodGreen Community Centre, a multiservice, neighbourhood-based agency that's been serving seniors and families in Riverdale since 1937, and I quote the concern expressed in their letter:

"Innovation and flexibility will be lost in the multi-service agencies proposed by the Ontario government

through Bill 173. Instead, seniors and people with disabilities will be served by bureaucratic, highly regulated and costly agencies without any choice."

Minister, can you explain to the people at WoodGreen centre why you're proceeding with Bill 173 despite the fact that people at this centre and hundreds of people like them have told you that this is the wrong thing to do?

Hon Ruth Grier (Minister of Health): The Leader of the Opposition and I and members on the other side of the floor have been having this debate now for quite some time.

I was a volunteer in my community when I think the Conservative government and then the Liberals began to recognize that we had in this province a first-class group of people providing long-term care but that it was fragmented, that not everybody could get the care they needed and that the professional work that was done by the people in the system, many of whom I know are here today, was undervalued, in many cases underpaid and was in fact excellent where it happened but not happening consistently across this province. So the changes that are proposed and that are going to produce a system that is integrated, that does provide one-stop shopping, are a replica of the agencies that are represented here today.

WoodGreen I know well. My colleague from Riverdale knows it well, worked with it, created it, supported it. It is a voluntary agency with a voluntary board, and voluntary agencies with voluntary boards will continue to deliver long-term care in this province. That's what reforming the system is all about, creating in neighbourhoods the same kind of agencies that have been providing bits of long-term care and making sure—

The Speaker: Could the minister conclude her reply, please.

Hon Mrs Grier: —that they provide coordinated, holistic care for the seniors and the consumers who are also here today to show their support for Bill 173.

1430

Mrs McLeod: If the volunteers and the staff at a community centre that's been around for almost 60 years tell me that something won't work, then I think they are worth listening to. I know that you know the WoodGreen Community Centre well. That's why I chose to read excerpts from their letter, to express on their behalf to you their concerns in the hope that you would listen to the concerns of a group of people that you do know well.

Minister, let me read you a little more from their letter, another of their concerns:

"While the Ontario government is pushing the bill through the Legislature, the bureaucrats behind the scene are writing a policy manual that will dictate every single operation of the MSAs down to minute details. The policy manual that is being developed governs assessment tools, case management, even the square footage required for day programs. Not only are these rules culturally biased, they also stifle community development. It is a shame for the government to promise a consumer-driven system when the real control lies with the government and the bureaucracy." These are not my words, these are the words of the WoodGreen Community Centre.

Minister, for months now volunteers at community groups just like this one have been appearing at committees, they've been writing to you, they've been signing petitions, they've been doing anything to try and get your attention. Can you explain to them why you want to destroy community services that have been built by the people of this province over decades? Can you explain why you need to put in place a single monolithic bureaucracy to replace a truly community-based system?

Hon Mrs Grier: The long-term-care system that we have now and those 1,200 agencies that are so frequently mentioned range from agencies such as the VON and the Red Cross, which run across the whole province or in fact across the whole country, to very small neighbourhood agencies that provide home support services, services such as cleaning the oven and cleaning the windows for seniors who can no longer do that themselves.

As we ensure that no matter where you live and no matter what your needs are you get the services you need in a seamless fashion, it is precisely all of those agencies that are coming together to say, "Here's the minimum level of service that needs to be provided, and the province has a responsibility to see us provide it." But we have not done what your government wanted to do, which is to create coordinating agencies of bureaucrats run by the ministry of either Community and Social Services or Health. We have decentralized and we have said to the district health councils, "You tell us how many multiservice agencies there should be in the district that you cover." We have then said to the volunteers on the district health councils—

The Speaker: Could the minister conclude her reply, please.

Hon Mrs Grier: —and to the volunteers on the long-term-care committees, "You design the system for your area and, within that, help to develop the voluntary boards and the volunteers who will run those agencies."

The Speaker: Could the minister please conclude her reply.

Hon Mrs Grier: That's the big difference between how you were going to do it and how we're doing it.

Mrs McLeod: In one respect the minister is right. The concerns that we've heard have come from community groups as widely ranging as the Victorian Order of Nurses and the Red Cross and Meals on Wheels to the very small, community-based organizations that simply have devoted a lot of their lives to providing service to people in communities. These organizations all believe, Minister, that the very people you claim you want to serve with your legislative changes are not going to be served at all.

You have tended to defend this legislation by saying that this is a way of saving money and that in saving money with this restructuring, you will be able to devote more money to service for seniors. The WoodGreen Community Centre people are ready to challenge your claim that this will save money in organization that can be used for service, and they write in their letter: "It is also irresponsible"—"irresponsible," Minister—"to use

cost savings to sell the reform to the public when no cost analysis has ever been done by the Ministry of Health or by the district health councils."

The letter also says that you told community groups to look at the experience in Victoria, BC, as a good example of a jurisdiction where services have been consolidated, so let me tell you what they found when they did. Nursing services in that consolidated model are \$55 per hour. Presently, for Saint Elizabeth Visiting Nurses' Association of Ontario—I take this from the WoodGreen Community Centre—their cost is \$39 per hour.

The Speaker: Could the leader place her question, please.

Mrs McLeod: In Victoria, service was lost. Seniors there have to wait three months for a call from their case manager.

Minister, you have no evidence that shutting down community agencies and setting up a new bureaucracy will reduce costs. In fact, it is likely to do exactly the opposite: increase costs and reduce service. Tell us why you are doing this. Tell us why you are deliberately ignoring and dismissing the pleas of volunteers and community organizations right across this province.

Hon Mrs Grier: The Leader of the Opposition keeps saying that we have not listened to people in making the changes. I would remind her that when we became the government and the proposal for bureaucracies that her government had put forward was out there for discussion, we had the broadest consultation that I think had ever been held in this province, with about 75,000 people participating.

What the seniors and the disabled said was, "Don't patronize us"; they said, "Don't tell us what you think is good for us; listen to us"; and they said, "Let us design the kinds of services we want." They said, "Put more money into the system," and we have. We have put \$400 million more per year into the system.

We've listened to the providers. They are part of all of the work that has been going on, but when it comes right down to it, one of the criticisms of what we're doing that was in a local paper I think puts it very succinctly. They criticized me, because they said, "You've listened to the consumers and not to the providers." I make no apologies for that.

Mrs McLeod: We will return to this issue, but I want to direct a second question to the Minister of Energy.

ONTARIO HYDRO INVESTMENTS

Mrs Lyn McLeod (Leader of the Opposition): We are reminded again today that Ontario Hydro has clearly launched itself into the international marketplace and that it seems determined to behave as if it was a private corporation.

Clearly, Ontario Hydro is not a private corporation. Its shareholders are the people of this province who pay their hydro bills every month. I think that the people of this province need to know where you, as Minister of Energy, stand today on risky speculative investments on behalf of Ontario Hydro. Will you tell us exactly what you are prepared to do to ensure that Ontario Hydro ratepayers' interests are protected?

Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs): The former Minister of Energy knows full well that the public corporation, the utility in this province, is appearing before the Ontario Energy Board at my request to deal with these very issues. We await the advice of the Ontario Energy Board in order to be able to come forward with a comprehensive position with regard to these very matters. It would be quite premature for me to make a statement in the House today prejudging what the Ontario Energy Board's recommendations might be.

Mrs McLeod: I'm interested in knowing the minister's policy and the government's policy on the specific issues of speculative investments on the part of Ontario Hydro. I think that people in this province were shocked when they realized that Ontario Hydro had already spent \$108 million buying into a utility in Peru. Minister, this was a deal that you approved, even though you acknowledged that the ratepayers would be put at risk through this deal.

Now we learn that Ontario Hydro is looking at spending some \$92 million more on six different projects in seven foreign countries, and what we hear today is that the chairman of Ontario Hydro wants—in fact, I think it's fair to say the chairman of Ontario Hydro demands—permission to go ahead with these investments without having cabinet approval on each project.

Minister, are you prepared to pick up the telephone today and tell the chairman of Ontario Hydro that he does not have free rein?

1440

Hon Mr Wildman: It takes a bit of chutzpah for the former Minister of Energy to talk about this government, which has frozen electricity rates two years running, and for the first time in 30 years lowered industrial rates somewhat. To have this member, who put all of the ratepayers at risk in this province by deciding to proceed with Darlington, which wasn't needed in this province—it really is ridiculous for this member to have the gall to get up and ask that question.

The member asked me if I will pick up the telephone and phone Mr Strong. I will be happy to do that at any time.

Mrs McLeod: Mr Speaker, just a moment to set the record straight: I was a former Minister of Energy. I was Minister of Energy from 1989 to 1990. Darlington was a project approved in 1978. I was Minister of Energy at a time when we were preparing to put Ontario Hydro's plans before an environmental assessment, which this government abandoned.

I also remind the current Minister of Energy that the Ontario Hydro rate freeze came after a 40% increase in hydro rates, and that Hydro never before has risked Ontario Hydro ratepayers' moneys with the kinds of risky investments that he approved on the investment in Peru. That's why this question is before this House today, and that's why this Minister of Energy—

Interjections.

The Speaker: Order, the member for Perth.

Mrs McLeod: —today has got to give a clear answer

to the people of this province as to what he is prepared to do with Ontario Hydro—

Interjections.

The Speaker: Order. Final supplementary.

Mrs McLeod: The question of Ontario Hydro making speculative investments internationally, where they have absolutely no track record in making the investments, and yet they are looking for a free rein—Hydro apparently overbid the Peru investment by some millions of dollars. There is no guaranteed return on the investment.

I ask the minister, based on that track record, do you have any confidence in the kinds of investment decisions that Ontario Hydro is making? And tell us once again: What are you prepared to do to make sure that Ontario Hydro ratepayers don't end up paying for Ontario Hydro's roll of the dice?

Hon Mr Wildman: I guess the honourable member opposite doesn't really understand arithmetic. She is concerned, and I think rightly—

Interjections.

The Speaker: Order.

Hon Mr Wildman: I think that she is rightly concerned about the possible risk to the ratepayers in investments related to millions of dollars. But it is interesting that she believes that is a greater risk than the risk she put the ratepayers at by agreeing to spend up to \$14 billion on a plant that their party said was not needed. It is interesting that this member can ignore the expenditure—unwise, unwanted, improper expenditure—of billions of dollars but raise concerns about the expenditure of hundreds of millions of dollars.

This government and this minister are indeed concerned about the expenditure of hundreds of millions of dollars, and it is for that very reason that the chair of the board of Ontario Hydro is putting evidence before the Ontario Energy Board. All interested groups will be able to put forward their positions and then the government will consider the recommendations based on all of the evidence as it relates to the risks facing the ratepayers of Ontario.

LONG-TERM-CARE REFORM

Mr Jim Wilson (Simcoe West): My question is to the Minister of Health. Minister, I want to begin by saying that my party and caucus are firmly committed to better access and more coordination of services in the long-term-care sector. However, we have come to believe that Bill 173 is not about helping seniors.

Interjection.

The Speaker (Hon David Warner): The member for Oxford, come to order.

Mr Jim Wilson: It's about cutting deals with Sid Ryan and unions. According to Toronto's Eye magazine, your last-minute amendments that gave preference to the hiring of unionized workers in the home health care sector were tabled and passed so that Sid Ryan would keep his mouth shut at your party's convention two weeks ago in Hamilton. While Mr Ryan kept quiet during your convention and you delivered your Bill 173 labour amendments, seniors, the disabled and providers are left

wondering what effect this backroom deal will have on the long-term-care system of this province.

Minister, now that Sid Ryan is once again loosening his lips, do you think it was worth it to gamble away the future of seniors, the disabled and home health care provider agencies in order to gain a couple of weeks of silence from CUPE?

Hon Ruth Grier (Minister of Health): It's hard not to get as angry as the member opposite sometimes gets when that kind of allegation is made, because nothing could be further from the truth. In fact, had the member been here yesterday, he might have heard Mr Ryan in the galleries not being at all silent about anything this government does. We do not do things because we think somebody will be quiet. In fact, if that had been the reason for everything we had done as a government, perhaps we wouldn't have achieved as much as we have done.

If you're going to protect our health care system, if you're going to plan for the future, a future that is going to have a great many more seniors than we have even today, and if you're going to make some changes that can assure the people this system is designed to serve that it will be here to protect them in the future, you do what you think is right and you consult and you listen and then you have the courage and the leadership to make the changes that are required.

Mr Cameron Jackson (Burlington South): Minister, you talk about consultation, but this is not the model for long-term-care reform that Frances Lankin talked to Judith Leon and Senior Link about for years. It is not the model that Evelyn Gigantes, the other Health minister for your government, was discussing with seniors in this province. This is something you've developed since June. My colleague has indicated clearly, with evidence, that the labour unions have had a huge impact on this bill.

Here are the facts. Sid Ryan came before our very committee and openly said that the activities of the \$37 million worth of human resources in volunteers daily going on in this province should be curtailed because they should only be doing recreational work. According to your bill, in the deal you made with Sid Ryan, you're going to have a laid-off registered nurse from a hospital out there driving Meals on Wheels. Now, that's not the system that's done efficiently, economically and in the best interests of seniors in the province of Ontario.

The Speaker: Could the member place a question, please.

Mr Jackson: Minister, will you not consider a flexible model and eliminate this 80-20 rule to restore the autonomy and integrity of those agencies that are providing services in our community?

Hon Mrs Grier: The member starts his question talking about unions and deals—nothing could be further from the truth—and he ends it up by coming to the nub of what matters to the ideologues on the other side of the House, which is that they want to privatize the system, because by eliminating the requirement that there would be an integrated provision of service that is what they are opening the door to.

Interjections.

The Speaker: Would the minister take her seat, please. Order. Final supplementary.

Mr Michael D. Harris (Nipissing): I want to be very clear that our party and our caucus believe in the VON, in the Red Cross, in the Saint Elizabeth visiting nurses, in Meals on Wheels and all the current service providers and thousands and thousands of volunteers who have done a very good job of serving our seniors, our disabled people and those needing home care services across this province.

1450

Minister, clearly the evidence is in that this legislation will not be able to be implemented and up and running before you call an election. Given that within 60 days of forming the new government, our caucus will scrap the 80-20 rule in your MSA model, will scrap the labour adjustment clauses of Bill 173, which favour unionized workers only, given that commitment, given that there is no way to have this up and running before you call an election, will you do the honourable thing and delay 173, stop the forced unionization, stop the uncertainty, delay it until after an election and save the taxpayers and the volunteers turmoil and money? Will you do that today?

Hon Mrs Grier: There is no way that I or this government want to expose the seniors and the disabled of this province to the health care levy of The Common Sense Revolution that is going to raise \$400 million for health care. We support a publicly funded system, we support a publicly administered system—

Interjections.

The Speaker: The member for London North, order.

Hon Mrs Grier: —and we will not stand to see the health care system of this province privatized as the members opposite advocate.

The Speaker: New question.

Mr Harris: We're prepared to let the people of Ontario decide. We're prepared.

CONSERVATION OFFICERS

Mr Michael D. Harris (Nipissing): My second question is to the Minister of Natural Resources. Minister, there are over 25 district MNR offices in Ontario. Staff at these offices are responsible for fish and game law enforcement within their areas.

It is our understanding that you issued directives for 1994 which mean that conservation officers must now do most of their work from the office; that they don't have enough gas money to do routine checks in the field in order to catch poachers and others who violate our conservation laws; that they must rely more than ever on tips from the public and sitting in an office waiting for calls to come in.

Minister, is this true? Has the party that claims to have a monopoly on environmental conservation directed all ministry enforcement officers to now respond only to emergencies?

Hon Howard Hampton (Minister of Natural Resources): I'm pleased to respond to the question from the leader of the third party. In our government, we

believe in managing the budget and we believe within the Ministry of Natural Resources in working with the budget we have, and we do that rather than engage in the kind of rhetoric that the leader of the third party engages in.

In districts across the province, district managers are working very hard to meet their budgets. In some places in the province that may mean they will not be doing as much flying as they have done in the past. In other places in the province, that may mean that staff are restricted in terms of travel outside the district.

In other places in the province, depending upon what the district manager believes will suit the priority of his or her district, depending upon what they believe are the needs that have to be responded to in terms of the provincial interest, district managers have assigned to staff certain levels of priority. In the case of some conservation officers in southern Ontario, yes, they will be replying to Crime Stoppers tips; yes, they will be replying to complaints; yes, where they have been told there is something they should investigate, they will be replying to those, and certainly to all emergencies.

The Speaker (Hon David Warner): Could the minister conclude his reply, please.

Hon Mr Hampton: So, yes, the laws are being enforced, and I might say that if the member wants to look at some of the compliance results across the province for this year, he would be very impressed indeed.

Mr Harris: The Toronto Sun reported this morning that taxpayers will be footing the bill for a half-million-dollar advertising blitz that a downtown Toronto bureaucrat says is the top priority now for the Ministry of Natural Resources, an advertising blitz to promote your ministry's so-called efforts on forestry and wilderness protection.

Minister, since 1990 your ministry has already spent \$1.5 million on advertising. I would like to ask you this: Just what could you be promoting when you have decreased the ministry's operating budget by \$60 million? What good are the laws, what good are the regulations if in fact there are no dollars for enforcing them out in the field? And I would ask you this: How can you now justify taking an additional half a million dollars out of the hands of the conservation enforcement officers in some last-minute, desperate effort to boost your flagging image in time for an election call?

Hon Mr Hampton: I'm glad to reply to the rhetoric of the third-party leader again. The records will show that the Ministry of Natural Resources in Ontario now is advertising 40% less than the previous Liberal government, and if you factor in inflation, much, much less than the profligate ways when the member was the Minister of Natural Resources in this province. Check the record. Factor in inflation. These are the people who used to run ads—get this—called "Preserve it, conserve it" ads, and they asked the taxpayers of the province to pay for those ads.

In the area of forest management and forest conservation, our government has done a great deal. We have established a \$100-million forest renewal trust fund, the first ever in the province. We have developed an old-

growth policy. We are establishing forest policy in the province that treats the forest as an ecosystem, not just as a place to harvest timber. These are all things that the people of Ontario want to know about, and we are going to let them know about it.

The Speaker: Could the minister conclude his reply, please.

Hon Mr Hampton: I should say that none of this money, this very minor amount of money, is coming out of the ministry budget. It is part of the plan to let people in Ontario know what's happening in our forests. A lot of good things are happening in our forests.

1500

Mr Harris: We spoke with an MNR staff member in one district office facing severe financial constraints, who for obvious reasons asked not to be identified. He told us that for the area he covers within his district, he has \$1,500 left in his budget for this fiscal year. That's less than \$15 a day to put gas in the vehicles, to cover maintenance and to operate the office.

We asked him this question: Would it help to divide the half a million dollars that the minister says today is a puny or a teeny little amount, would it help to divide that \$500,000 you are wasting on your public image among the provincial district offices? He said: "It would be a dream come true. It would be a dream come true if we could have our share of that half a million dollars to actually do our job."

Minister, will you allow the conservation officers in the field to have their dream come true, cancel this half-million-dollar advertising boondoggle and give the tax dollars to the field offices where they rightly belong?

Hon Mr Hampton: We have established a forest renewal trust fund and we intend to let the people of Ontario know how they can take part in the forest renewal trust fund. We've established a private woodlot sustainability fund and we intend to let all of the woodlot owners in Ontario and other people who are interested in rural farm woodlots know how they can take part in that. Investment in our forests in Ontario is higher than in other provinces and it's going higher, and we intend to let people know that's happening and let them know how they may be able to take part in some of those good things.

I would like to say to the leader of the third party that we make some tough decisions in managing our budget, and yes, that may not meet favour with everyone out there. But I'd say to the leader of the third party, the author of the so-called Non-Sense Revolution, that with a budget of \$500 million in the Ministry of Natural Resources, which he proposes to cut by 20%, \$100 million, that wouldn't be just a difficult decision for some of those people out in the field, it would be a nightmare, and it would be a nightmare for the resources of this province.

LONG-TERM-CARE REFORM

Mrs Lyn McLeod (Leader of the Opposition): I want to return to the Minister of Health on the issue of long-term care, because I do not believe it is too late to fix the long-term-care bill so that we have a workable

solution. We have worked a long time in this caucus for the reform of the long-term-care system and we don't want to see it lost.

Let me make it as clear as I possibly can that we support a coordinated approach to long-term care. What we cannot support is bringing that about by creating a monolithic bureaucracy that replaces community-based organizations.

Minister, I believe that if you are willing to listen to the people who are here today, if you are willing to listen to the concerns of all the people who have written to you, you could fix the bill and you could have a system that builds on community strengths instead of devastating them.

Again, let me share with you not my concerns, but the concerns of one of those community organizations, a letter from the Catholic Family Services of Toronto. "While we need coordination, we fear the prospect of high degrees of centralization and bureaucratization of long-term care in the province. We wonder if the creation of multiservice agencies will ultimately lead to the loss of control by the local communities, by a highly centralized structure of a multiservice agency."

Minister, you've told this House repeatedly that this won't happen, that the members of the opposition are simply wrong when we believe that's going to be one of the results of this bill. What do you say to a dedicated agency like the Catholic Family Services of Toronto when they tell you that's their concern?

Hon Ruth Grier (Minister of Health): I say to them, as I hope the Leader of the Opposition has said to them, that a multiservice agency that serves a population of 50,000 or 60,000 people, that has a board of volunteers elected from among those people and has on that board one third consumers or caregivers to consumers, and that that agency will be receiving an envelope of funding within which to provide services, I hope she will join me in explaining that nothing could be less centralized or less bureaucratic.

Mrs McLeod: No, I will not join with this minister in telling these agencies that they are wrong, because I share their concerns. I believe their concerns are legitimate.

Another of the concerns they've raised with you and that we've raised with you over and over again is the impact of this bill on volunteers.

The Sudbury chapter of Meals on Wheels wrote and said, "The view of the NDP government that suggests that volunteers will wholeheartedly volunteer for the MSA is a very broad statement given that the volunteers I speak to deny this." That's what volunteers across the province are telling me and telling my colleagues, and I know they're telling you and your colleagues the same thing.

My colleague Dalton McGuinty received a letter from the director of public affairs at the Canadian Centre for Philanthropy, who outlines his concerns about the MSA model. Here's what he said about its impact on volunteers:

"The importance of the volunteer sector, its role in developing values of citizenship and community responsi-

bility, its potential to enable governments to cut their budgets while preserving our quality of life, will become more apparent than ever in this decade. These are some of the reasons why I believe the Rae government's proposed MSA structure"—

The Speaker (Hon David Warner): Could the leader place her question, please.

Mrs McLeod: —“which would undermine community-based voluntary organizations to create another government bureaucracy, is a serious public policy error.”

Minister, from the executive director of Meals on Wheels in Sudbury to an authority on volunteerism—

The Speaker: Leader, please place a question.

Mrs McLeod: —people are telling you that volunteers will not volunteer for your government agency. You say we're raising alarm bells. What do you say to the people at Meals on Wheels in Sudbury, to the public affairs director at the centre for philanthropy, when they tell you you are making a serious public policy error?

Hon Mrs Grier: I don't know what the date is of the letter the member is quoting from, but I would remind her that the concern that was raised to ensure that volunteers continue to play their invaluable role in this system was precisely why amendments to the legislation were put in place to ensure that each multiservice agency develop a volunteer plan and have the resources to support and to educate and to train and to recruit volunteers.

Let me point her to those areas of the province where coordination of community-based services has already occurred, areas like Durham, where with my colleague for Durham-York I was visiting Community Care last week, areas like Victoria-Haliburton, like Haldimand-Norfolk, like Grey-Bruce, where in fact the community-based services have already begun to come together to coordinate, to integrate, and are finding that they are creating new and enhanced opportunities and satisfaction for volunteers. That's what's going to happen as volunteer agencies called multiservice agencies are created by volunteers for volunteers and with volunteers.

ADVOCACY AND GUARDIANSHIP

Mr Norman W. Sterling (Carleton): I have a question for the Minister of Health as well. Madam Minister, as you know, I've had some involvement with Bills 108 and 109, with the Consent to Treatment Act and Substitute Decisions Act.

We've had over the past year many articles written in the press which have been quite frightening, particularly to many seniors in our province, about the impact of powers of attorney for property and powers of attorney for personal care. Quite frankly, I found those frightening stories to be very erroneous and false, and in fact I think it's a very, very good piece of legislation in that aspect.

However, I feel the press and the public have missed perhaps the most frightening part of this legislation, and that is the insertion of an advocate between a patient and his or her health care provider and the family and that health care provider.

When are you planning to proclaim this legislation, which is going to have a dramatic effect on how health

care is delivered in the province of Ontario?

Hon Ruth Grier (Minister of Health): The three pieces of legislation that for the first time in this province give the vulnerable some rights and some ability to exercise those rights, the Advocacy Act, the Substitute Decisions Act, and the Consent to Treatment Act, will be proclaimed early in the new year.

Mr Sterling: Madam Minister, my concern is that I don't think many people, particularly health care providers—I believe there are probably somewhere between 300,000 and 500,000 health care providers in this province—have any idea about how this is going to impact on them.

I might remind you, Madam Minister, that under the bill it is incumbent on any health care provider who finds a person they are treating to be incapable to advise that person in writing and to advise that person orally that they have the right to call an advocate and they have the right to challenge the finding that the person is incapable. If those people are truly incapable—and there are many people who are incapable and are being treated in our health care system—there are going to be many of those incapable patients who will want to see a rights adviser.

1510

Madam Minister, there are, as I said, 300,000 to 500,000 health care providers in this province. There are plans to have I believe 150 or 200 advocates in this province. How on earth are we going to have a health care system which can function efficiently and can treat people in a timely manner if in fact the regulations are not even struck under this act at this present time?

Will you assure us in this Legislature, will you assure the people of Ontario that you will stall the proclamation of this act until the regulations have been proclaimed and every health care provider in the province of Ontario has had ample time to be educated on how these are to be applied and we have trained advocates in place, whatever a trained advocate might be?

Hon Mrs Grier: I know of the member's support for this legislation and I'm very glad to be able to reassure him that all of the health care professionals—in fact our number is 200,000; he says 300,000—have already been sent a package of information about the legislation so that they can understand it and recognize their roles.

There have been extensive consultations with the College of Physicians and Surgeons, for example, with respect to the development of the regulations, which are expected to be passed very shortly. There has been a travelling group of lawyers and representatives from the various ministries going around the province holding sessions and public forums so that everybody can be aware of it. The Advocacy Commission has been advertising and is in the process of recruiting the advocates. The concerns that he raises are legitimate ones of which we are very much aware and ones which I can assure him are being very adequately addressed.

WETLANDS

Mr Drummond White (Durham Centre): My question is for the Minister of Natural Resources, the Honourable Howard Hampton. My concern is in regard

to the Lynde Marsh, which is located on the north shore of Lake Ontario, in the riding of Durham Centre. The marsh, which is a marvellous and dynamic natural resource of plant and animal life, is located entirely within an area protected by the Central Lake Ontario Conservation Authority. However, there is a proposal to develop the land to the east of the conservation area. The proposal has developed a great deal of controversy in our area. A lot of people in our town, Whitby, and Oshawa and Ajax are deeply concerned about this development.

My question refers to the steps followed by your ministry to ensure that this class 1 wetland is preserved. Did your ministry comment on the proposals, known as Lynde Shores, to develop the land east of the Lynde Marsh and south of the 401 highway in Whitby?

Hon Howard Hampton (Minister of Natural Resources): On the subject of the Lynde Marsh, there is some history to this issue. Back in about 1988-89, a development plan was circulated by the developer. It's my understanding that at that time the Ministry of Natural Resources commented on the draft plan of subdivision. At that time there was no wetlands policy statement in place in Ontario; it was still under development.

The official plan amendment which designates these lands for development was circulated in 1989 and was subsequently approved by the Ministry of Municipal Affairs. MNR, as I said, did not object to the plan at that time because there was no wetlands policy statement that had been approved. Since that time, however, there has been a revised plan of subdivision, so some work has been done on that revised plan of subdivision, noting what potential impacts on wetlands there might be.

Mr White: Since your ministry commented on these proposals, our government has developed the wetlands policy you mentioned, a policy that has been rather virulently opposed by the opposition members. Would these proposals in any way be changed, moderated by the wetlands policy? Would that likely have an effect on a proposal like Lynde Shores, or would they in any way affect the buffer area around those wetlands?

Hon Mr Hampton: As I'm sure the member knows, the whole issue of the Lynde Marsh has now been referred to the OMB for a hearing, so I will not comment on that specific proposal. But the idea behind the wetlands policy is to give municipal councils the tools to identify provincially significant wetlands within their boundaries and the tools to arrange for the protection of those provincially significant wetlands by means of the Planning Act.

If this kind of proposal were to come forward now, it would be subject to the wetlands policy and all of the tools that have been placed in the wetlands policy and that are at the disposal of municipal councils and municipal planning bodies would be available to ensure that development could take place but development could not threaten or otherwise risk harm to the wetland.

TEACHER MISCONDUCT

Mr Carman McClelland (Brampton North): My question is to the Minister of Education. Minister, I think you'll know that today in the province of Ontario a

school teacher can, one, admit or be found to have engaged in sexual activity with a student; two, after due process be found guilty of professional misconduct by a professional association; and three, after the teacher is terminated from his or her employment by a board of education, that teacher can in fact literally walk across the street, be hired by another board and continue teaching, sometimes literally within metres of the school from which he or she was fired as a result of sexual misconduct. I remind you that that happens after a finding by a professional association of misconduct.

The question I have for you, Minister, is, what are you prepared to do today to address this obvious deficiency in our system and, in so doing, protect the integrity of the teaching profession and, equally if not more important, afford a greater sense of protection to the students who are entrusted to our care in the educational system in the province of Ontario?

Hon David S. Cooke (Minister of Education and Training): I think the member would also be aware that there's a process under the act that involves the professional organization as well that can provide for a teaching certificate to be pulled from a teacher, and that does happen in the province.

It's an independent process that ultimately comes to the minister's desk for approval and, whatever the recommendations are, those recommendations have consistently been accepted by Education ministers. So there is a process to pull a certificate, but it's an independent process that ultimately reports and recommends to the minister.

Mr McClelland: I am in point of fact aware of that, as I would think are most, if not all, members of the House. I'm referring to a situation that is not hypothetical but in fact does exist, where after due process, after a hearing by the appropriate professional association and/or federation, a finding of misconduct is obtained.

In that situation there seems to me a deficiency, where a teacher can, as I said, literally walk across the street and continue teaching, notwithstanding the finding of misconduct by that professional association in that due process. It seems to me very, very evident that there is within the system a grave deficiency.

The question I'm asking you, Minister, is not in terms of the process, but will you commit today to sitting down with the appropriate association reps and federation reps and looking at regulations that would ensure that that deficiency no longer exists and, as I said, look at the interests of both the profession and, more importantly or equally importantly, I would say, the appropriate protection that should be given to students within our system? Minister, I'm asking you to commit to sit down with the federations and address this issue to close that obvious and apparent deficiency.

Hon Mr Cooke: I guess it would be helpful to me, if there's a specific case that the member is referring to, that he might want to share that information with me privately. Of course, whatever action needs to be taken, we would all be committed to making sure that if a teacher engages in misconduct, abusing a student physically, sexually, then obviously that is the type of teacher

whom none of us would want to have in the classrooms or have contact with our students. It would be helpful to me if the member could share the specific information, and then we'll go from there.

1520

NEGATIVE OPTION MARKETING

Mr Cameron Jackson (Burlington South): I have a question for the Minister of Consumer and Commercial Relations. Every day Ontarians receive junk mail which is often immediately thrown out. Many find that in doing that, they have given their consent to be billed for some sort of good or service. This is considered negative option marketing because the onus is on the consumer to say no before being taken off the direct-billing treadmill.

Recently, every Ontarian with cable service received this magazine in the mail. Enclosed with this third-class mail was a deeply personalized letter. The salutation reads, "Dear Movie Lover," and it goes on to suggest that: "You don't have to do anything to continue with this free service. You just simply have to phone in to your cable company to avoid being automatically billed \$3 per month plus taxes." But nowhere in this letter does it give you a phone number. There's a card buried inside.

My question, Minister: What are you doing, as the minister responsible for consumers in Ontario, to ensure that you're protecting unsuspecting consumers who are getting caught in the money trap of negative option marketing?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): Indeed, it's a very good question. I should inform the member that, as he well knows, under existing legislation, negative option marketing of fixed-term contracts for goods and services is not covered. If you have a fixed-term contract, in fact there's nothing at this point against the law with the negative option.

I would at this point advise consumers who are currently receiving contracted goods or services to really carefully screen their contract and know what they're getting into. I would also suggest to those who don't wish to renew their contracted services or receive additional or repackaged services to notify the company of their wishes in advance. People should do that.

What I should let you know is that under the Consumer Protection Act at this time, people who receive unsolicited goods who do not have or haven't had a previous contract, do not have to pay for them. Unfortunately, at this time under the law, if they have a contract and they don't notice it, if they don't screen their contract properly, they do.

Mr Jackson: That sounds more like an insert from a pamphlet that's buried somewhere in her ministry, not an answer to this question.

Consumers deserve better personal protection for their budgets at home. They deserve better from your ministry, and Ontario consumers deserved better from even the previous government. I recall that Monte Kwinter, who was then the minister, sounded the alert back in 1989 on negative option advertising, but nothing was done then and nothing has been done with your government.

I'd like to send over a copy of a bill which I'll be tabling in the House tomorrow, entitled the Consensual Transactions Act. It will stop negative option marketing in this province. I raised this issue with you in the House on November 23, and to date I've not received a response. I hope you'll consider this bill and give a proper response, because Ontario is lagging behind Quebec, Nova Scotia and Prince Edward Island, three provinces that have already brought in legislation to protect their consumers on negative option marketing.

Minister, my question is: Will you take the time out from your promoting casino gambling in this province to support a simple bill to help protect vulnerable consumers who are forced to gamble with their own personal budgets and planning because of the continuation of your government's inaction on negative option marketing in Ontario?

Hon Ms Churley: First of all, I would say that—

Mr Steven W. Mahoney (Mississauga West): Why don't you just make it illegal?

Hon Ms Churley: I think I have another question. Whose should I answer, Mr Speaker?

Mr Mahoney: Answer mine. Just make it illegal.

Hon Ms Churley: Yes, I think I prefer Steve's.

The Speaker (Hon David Warner): Order.

Hon Ms Churley: I find it really interesting that almost every day I hear Tories stand up in this House and ask for new regulation and a new bill. Every single problem that crops up, they're on their feet asking yet again, "Spend more money, bring in new bills, bring in new regulation." But on the other hand, in their Common Sense Revolution they talk about cutting, revolutionarily, regulations and bills and making the marketplace easier. They really can't have it both ways.

People out there are going to start recognizing after a while—at least you're trying to have it both ways, but you can't—people out there are going to start noticing, "Hey, one day they're asking for a new bill and the next day they're saying we're going to cut them all."

The Speaker: Would the minister conclude her reply, please.

Hon Ms Churley: There is a need to deal with this problem, as I said to the member. There are many, many consumer issues out there that are not covered by legislation that perhaps should be covered by legislation that we have to take a look at, and I'll be happy to work with my colleague to see what we can do.

USE OF QUESTION PERIOD

Mr Norm Jamison (Norfolk): On a point of order, Mr Speaker: I would like to bring to your attention today something that concerns most of the members in this House from time to time, and that is the length of the oratory leading into questions, which severely limits the ability of each and every member, whether they be a government member or an opposition member, to ask a question of a minister in this House.

I have concerns from my constituency that I feel I should be able to address in this House. My concern is with the speeches that are given in this House that have

a small question attached to the other end.

I would like the privilege, as every member in this House should have, to rise in this House and ask a question. Mr Speaker, if you would check throughout Hansard in question period, I believe you will find that members are being severely restricted from asking pertinent questions that deal with their constituency to ministers of the crown in this House.

Interjections.

The Speaker (Hon David Warner): No, there's no need to drag this one out. Indeed, it's not just the length of the questions, it's the length of the replies. Today the member in fact was not done a particular service by his colleague who was answering and took a bit more time than perhaps was needed.

If all members would keep the length of their questions short and the length of the replies short, we would have a lot more members from all sides of the House having an opportunity to pose questions, to try and assist the concerns which are expressed within their constituencies. I appreciate the matter raised by the member for Norfolk.

Mr Chris Stockwell (Etobicoke West): On the point of order, Mr Speaker: I have great sympathy with the member for Norfolk and, considering the length of time of some of the questions and some of the answers, I think the member makes a very valid point that should be addressed. As a consensus I know that we can reach in this place, I will put the question to ask for unanimous consent to add another hour to question period today.

The Speaker: The member has a legitimate point of order. Is there unanimous consent to extend question period by one hour?

Interjections.

The Speaker: Aside from myself, I heard at least one negative voice.

Mr James J. Bradley (St Catharines): Mr Speaker, I want to be able to help you out with this and to express sympathy with the member's concern. I guess what we have to explain, and you as Speaker have to explain, are your limitations on just how much you can limit either questions or answers. You can implore members.

If this is to be addressed appropriately, it would seem to me that the Legislative Assembly committee or some similar committee could talk about giving the Speaker authorization to cut either questions or answers off after a certain period of time. I don't blame the Speaker, because you don't have that latitude at the present time and you try to be as accommodating as possible.

I listened to some lengthy questions here, a very lengthy question by one of the member's colleagues and a lengthy answer on a matter of importance to Durham Centre. All of those things add up and individual members can't get their questions on. I'm very sympathetic to that. I would also be very supportive of the member for Etobicoke West, who suggests that we have a two-hour question period.

Interjection.

The Speaker: All right, but briefly, please.

Mr Jamison: The point that I was making was that in

some of the questions presented there are three and four questions given at one time from the opposition, which call for an expanded answer. If you were to check, Mr Speaker, you would find this to be true.

I can tell you, Mr Speaker—

Interjections.

The Speaker: Order.

Mr Jamison: —that I have heard you in this House asking that the question be concisely put. I have listened to you from your chair, I have listened to you on your feet saying the same thing, and I've also watched you try to bring a question about when no question seemed to appear.

I say to you, Mr Speaker, that the problem is not just the length of the question, it's the number of questions presented at one time.

Interjections.

The Speaker: Order.

Interjection.

The Speaker: Briefly.

Interjection.

The Speaker: Unless members are prepared to change the standing orders, which is being suggested by the honourable House leader of the opposition, indeed the best discipline in this matter is self-discipline. The Speaker does not have an opportunity to pose questions or answer them. It is your question period. If you wish to have more members asking questions, then indeed some self-discipline has to come to rule in this chamber.

1530

PETITIONS

KETTLE ISLAND BRIDGE

Mr Gilles E. Morin (Carleton East): I have a petition submitted by some Ottawa residents from my riding.

"To the Parliament of Ontario:

"Whereas the government of Ontario has representation on JACPAT (Joint Administrative Committee on Planning and Transportation for the National Capital Region); and

"Whereas JACPAT has received a consultants' report recommending a new bridge across the Ottawa River at Kettle Island which would link up to Highway 417, a provincial highway; and

"Whereas the city and regional councils of Ottawa, representing the wishes of citizens in the Ottawa region, have passed motions rejecting any new bridge within the city of Ottawa because such a bridge and its access roads would provide no benefits to Ottawa but would instead destroy existing neighbourhoods;

"We, the undersigned, petition the Parliament of Ontario as follows:

"To reject the designation of a new bridge corridor at Kettle Island or any other location within the city of Ottawa core."

I affix my signature.

DRINKING AND DRIVING

Mrs Margaret Marland (Mississauga South): I have

a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas 81% of all driving fatalities are alcohol-related;

"Whereas 59% (or 18,000) of the 30,000 total convictions for drunk driving in 1992 involved repeat offenders;

"Whereas the Drinking and Driving in Ontario Statistical Yearbook released by the Ministry of the Attorney General's Drinking/Driving Countermeasures Office confirmed that drunk driving is on the rise;

"Whereas drunk driving is the number one killer of young people;

"Whereas the existing measures and penalties have failed to deter chronic drunk drivers from reoffending;

"Whereas driving is a privilege, not a right, and chronic drunk drivers have failed to take their driving responsibilities seriously;

"We, the undersigned, petition the Legislative Assembly of Ontario to enact Margaret Marland's private member's Bill 195, An Act to amend the Highway Traffic Act"—

Interjection.

Mrs Marland: —"or similar legislation prior to the recess of the Ontario Legislature on December 8, 1994."

I am upset by the fact that the member for Perth would not want to protect people from being killed by drunk drivers. I will lend my support for this petition with my signature.

PENSION FUNDS

Mr Randy R. Hope (Chatham-Kent): This is not a petition that pats myself on the back. It's addressed to the Legislative Assembly of Ontario.

"Whereas the NDP government has stressed that equality of treatment is essential in a modern society; and

"Whereas the former Liberal government chose to exclude thousands of workers in the Pension Benefits Act, 1988, whose employment was terminated prior to January 1, 1988; and

"Whereas workers are being denied access to pension funds that are in fact deferred wages;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to enact changes to the Pension Benefits Act that will enable workers whose employment was terminated prior to 1988 the options to:

"(a) purchase a locked-in retirement account (LIRA) or a life-income account, or

"(b) transfer the pension money to the pension fund of the new employer, and that these workers be allowed the right to begin receiving payment of their pension funds or LIRA at age 55."

This is a petition that's put together by members in the Blenheim, Chatham and Tilbury area and I do affix my signature to it.

MENTAL HEALTH SERVICES

Mr Tony Ruprecht (Parkdale): Mr Speaker, I wanted you to know that these petitions keep coming to my office, and this petition reads:

"Whereas the NDP government is hell-bent on estab-

lishing a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

"Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations in hundreds of licensed homes and unlicensed rooming houses, group homes and crisis care facilities in all of Canada; and

"Whereas there are other neighbourhoods where the criminally insane could be assessed and treated; and

"Whereas no one was consulted—not the local residents and business community; not leaders of community organizations; not education and child care providers; and not even the NDP member of the government for Fort York;

"We, therefore, the undersigned residents and business owners of our community, urge the NDP government of Ontario to immediately stop all plans to accommodate the criminally insane in an expanded Queen Street Mental Health Centre until a public consultation process is completed."

I've affixed my signature to this petition.

FIREARMS SAFETY

Mr Robert W. Runciman (Leeds-Grenville): I have a petition signed by over 1,500 residents of Leeds and Grenville addressed to Ontario Premier Bob Rae and Solicitor General David Christopherson and the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I'm affixing my signature.

WASTE MANAGEMENT

Mr Paul Klopp (Huron): On behalf of my colleague Bob Huget, the member for Sarnia, I have a number of petitions for him here. He, as you know, with his new position as minister, cannot bring petitions. We have one here:

"Wherefore the undersigned, your petitioners, humbly pray and call upon the government of Ontario and the Ministry of Environment and Energy to deny the county of Lambton the right to establish a composite waste management facility, including the landfill site north of the Sombra-Moore town line at either site designated I or H by Lambton county's consultant, M.M. Dillon Ltd, in the draft master plan report."

This I bring to you on behalf of my colleague Bob Huget.

The Speaker (Hon David Warner): The honourable member for Eglinton.

AUTISM SERVICES

Ms Dianne Poole (Eglinton): Thank you very much, Mr Speaker. I'm not going to pout any more.

"To the Legislative Assembly of Ontario:

"Whereas there is a dearth of therapeutic/educational programs for hundreds of children in the province of Ontario who have autism spectrum disorder;

"Whereas 'Giant Steps Centre' for neuro-integrative disorders will provide the needed treatment and programming for these children and their families;

"Whereas the 'Giant Steps' model has been presented to the triministry committee, the Ministry of Health, the Ministry of Education and Training, the Ministry of Community and Social Services and the Premier's office;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario for help in bringing this project to fruition so that the needs of these children can be addressed."

I heartily support this petition and have affixed my signature.

FIREARMS SAFETY

Mr Jim Wilson (Simcoe West): I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas we want you to know that we are strenuously objecting to your decision on the firearms acquisition certificate course and examination; and

"Whereas you should have followed the OFAH advice and grandfathered those of us who have already taken safety courses and/or hunted for years—we are not unsafe and we are not criminals; and

"Whereas we should not have to take the time or pay the costs of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition Premier Bob Rae, Solicitor General David Christopherson and the Legislative Assembly of Ontario as follows:

"Change your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I've signed that petition.

1540

CHANGE OF VENUE

Mr Len Wood (Cochrane North): I have a petition here and it's signed by 880 names from the town of Cochrane. It was presented to me by the mayor, David S. Hughes from Cochrane.

"The Genereux murder trial that is taking place in Timmins in 1994...in order to save the people involved the emotional and financial stress of travelling to Timmins, we believe the trial should be relocated to the Cochrane District Courthouse in the town of Cochrane."

I support this petition. As I said before, it's signed by

880 people from the town of Cochrane.

LADY EVELYN-SMOOTHWATER PROVINCIAL PARK

Mr David Ramsay (Timiskaming): "To the Legislative Assembly of Ontario:

"Whereas the comprehensive planning committee is developing a park plan for Lady Evelyn-Smoothwater designated wilderness park and land management plan for surrounding area; and

"Whereas there has not been an economic or social impact study carried out that would explain the impact on the surrounding area's economy; and

"Whereas there are concerns for safety and security of users of such a proposed massive wilderness park system; and

"Whereas the draft date of January 1995 does not leave time to complete such studies;

"We, the undersigned, petition the Legislative Assembly of Ontario to require the Ministry of Natural Resources and the comprehensive planning committee to develop both an economic and social impact study and a plan that could ensure the safety of park users. Therefore, an extension of the draft date of January 1995 is required."

I affix my signature to this.

BICYCLING SAFETY

Mr Paul Klopp (Huron): Again I have one here for my colleague, Bob Huget from Sarnia, and this is a petition with regard to the bicycle helmet.

"To the 35th Parliament of Ontario:

"Whereas Bill 124...Traffic Act"—it's with regard to the bicycle helmet law,

"We, the undersigned, petition the 35th Parliament of the Legislature of Ontario as follows:

"An age limit with...because of freedom of choice and the rules and regulations."

There are a number of people from his riding who signed this and I give it to the Speaker.

ADOPTION

Mr Charles Beer (York-Mackenzie): "Whereas the right of adopted persons in Ontario to know their natural identity is denied; and

"Whereas the present disclosure system under the Child and Family Services Act is discriminatory, inefficient and expensive and government has demonstrated an inability to provide service in a timely fashion since 1979; and

"Whereas provincial government studies since 1976 have repeatedly recommended that adopted adults be granted unrestricted access to their original birth registrations; and

"Whereas there is widespread public and political support for these rights to be recognized and codified; and

"Whereas Bill 158 has passed second reading in the House by a wide margin and is now before the standing committee on social development; and

"Whereas this bill addresses the right of adopted persons to obtain their own birth certificates and provides

a mechanism for birth parents to register a veto prohibiting contact from the person they surrendered parental rights to; and

"Whereas 1994 has been designated the Year of the Family;

"We, the undersigned residents of Ontario, petition the 35th Parliament of Ontario to act without further delay and respectfully request that Bill 158 be put on the committee's agenda."

I have signed this petition.

WORKERS' COMPENSATION

Mr Paul Klopp (Huron): Bob Huget, my colleague, has a petition with regard to the Workers' Compensation Board, and because it's fairly long, I'll finish with this:

"That the Ontario government withdraw Bill 165 and accept the responsibilities that business recommendations provided to the Premier to ensure the sustainability of the workers' compensation system."

This is again signed by a number of residents in his riding and I have put this for the record.

SEXUAL ABUSE OF CHILDREN

Mrs Joan M. Fawcett (Northumberland): I have a petition to the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario to help us to protect our children by changing the current maximum penalty of 10 years for sexual interference to a minimum of five years with mandatory counselling and up to and including life imprisonment as a maximum penalty."

I have signed the petition and support it.

INTERIM WASTE AUTHORITY

Mr Charles Beer (York-Mackenzie): I have several hundred petitions that read as follows:

"We object to the manner in which the IWA's work is being rushed through a constrained environmental assessment. We do not agree with the review's conclusion that IWA's environmental assessment is adequate in addressing required components of the EA Act for satisfactory and technical quality, level of detail and range of alternatives.

"We refer you to the submissions made by the King-Vaughan Environmental Coalition for a fuller explanation of our concerns."

As I said, this is signed by several hundred residents of my riding.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr Cooper from the standing committee on resources development presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 176, An Act to amend the Highway Traffic Act with respect to Slow Moving Vehicle Signs / Projet de loi 176, Loi modifiant le Code de la route en ce qui concerne le panneau de véhicule lent.

The Deputy Speaker (Mr Gilles E. Morin): Shall

the report be received and adopted? Agreed.

Shall Bill 176 be ordered for third reading? Agreed.

ORDERS OF THE DAY

WORKERS' COMPENSATION AND OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI SUR LES ACCIDENTS DU TRAVAIL ET LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL

Deferred vote on the motion for third reading of Bill 165, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act / Projet de loi 165, Loi modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail.

The Deputy Speaker (Mr Gilles E. Morin): Call in the members. This will be a five-minute bell.

The division bells rang from 1546 to 1551.

The Deputy Speaker: Ms Coppen has moved third reading of Bill 165, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act.

All those in favour of the motion will please rise, until recognized, one at a time.

Ayes

Abel, Allen, Bisson, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Duignan, Farnan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Lankin, Laughren, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdock (Sudbury), O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessinger, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziembra.

The Deputy Speaker: All those opposed to the motion will please rise.

Nays

Arnott, Beer, Bradley, Callahan, Caplan, Carr, Chiarelli, Conway, Crozier, Curling, Daigeler, Eddy, Eves, Fawcett, Grandmaître, Harnick, Harris, Henderson, Hodgson, Jackson, Johnson (Don Mills), Jordan, Mahoney, Marland, McClelland, McGuinty, Murdoch (Grey-Owen Sound), Murphy, Offer, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Poirier, Poole, Ramsay, Runciman, Ruprecht, Sola, Sterling, Stockwell, Sullivan, Tilson, Turnbull, Villeneuve, Wilson (Simcoe West), Witmer.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 63, the nays are 45.

The Deputy Speaker: I declare the motion carried.

Resolved that the bill do now pass and be entitled as in the motion.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): Before I call the first order, again we have some agree-

ments that the House leaders have discussed to bring to the House and seek the consent of the House to proceed with.

Firstly, the first two items I'll be calling today are the eighth order, which is Bill 173, and the seventh order, which is Bill 171. On both of these bills we have agreed that, regardless of the presence in the House at the time, we will see a division on both of these items, on no other items today but on both of these items. So that's the eighth order and the seventh order.

Secondly, on the eighth order we have agreed that the minister will start off the debate, taking 10 minutes, and that the government will reserve two additional five-minute slots for other members, for a total of 20 minutes, and the opposition will split the remainder of the time in that debate.

With respect to the seventh order, the minister will lead off with a five-minute opening, we will reserve two five-minute additional pieces for other government members, and the remainder of the time will be split by the opposition on Bill 171.

Hon Ruth Grier (Minister of Health): Say when the votes will be.

Mr Steven W. Mahoney (Mississauga West): The divisions.

Hon Mrs Grier: The divisions will be tomorrow.

Hon Mr Charlton: Well, we're just coming to that, yes. And we've also agreed to continue today, that on any votes between 6 o'clock and midnight where a division occurs, the standing vote on that division will be deferred until orders of the day tomorrow.

The Deputy Speaker (Mr Gilles E. Morin): Agreed? Agreed.

1600

LONG-TERM CARE ACT, 1994

LOI DE 1994 SUR LES SOINS DE LONGUE DURÉE

Mrs Grier moved third reading of the following bill:

Bill 173, An Act respecting Long-Term Care / Projet de loi 173, Loi concernant les soins de longue durée.

Hon Ruth Grier (Minister of Health): It is with great pride and with great pleasure that I open this third reading debate on Bill 173, An Act respecting Long-Term Care. I know we have with us for this debate in the galleries representatives of a number of groups, from the Senior Citizens' Consumer Alliance for Long-Term Care Reform, Canadian Pensioners Concerned, the Ontario Coalition of Seniors' Organizations, the CAW Retired Workers and the Ad Hoc Consumer Coalition on Long-Term Care, as well as representatives from the Red Cross and home care organizations and home support organizations.

I want to say that this bill is about all of them and I hope they will come to realize that this bill is for all of them, because if there is any aspect of health care where I think both the providers and the consumers are integrated entities, it is in the provision of long-term care and particularly the provision of long-term care in the community.

I hope they will recognize that some of the amend-

ments and provisions in this bill are designed to provide a continuance of a seamless delivery of service and an enhancement of that delivery of service for the consumers, about whom I know the providers care deeply, and to ensure for the providers that their professional experience in working life has the satisfaction and the order and the ability to do what they do best, which is serve the seniors and the disabled, which many of them want.

Today's debate marks the culmination of many years of debate, of study, of work and of thought regarding the long-term care system in this province. It also marks the beginning of a new period, a beginning of implementing long-term care within the framework of this bill. Passage of this bill does not start the process; it began a very long time ago. In fact many of the reforms that this bill contemplates are already in place or are already in the process of being planned by district health councils all across the province.

It marks the culmination of a lot of debate that was started 10 or 12 years ago by the Conservatives, a debate that continued under the Liberals and that continued, again, during the clause-by-clause hearings on Bill 173. In the focus that has been made on Bill 173 we have, I think, forgotten some of the preamble, some of the identification of the need for an enhanced and improved system.

We've forgotten some of the commitment that is being made in funding and the enhanced funding that is already out there in communities across the province to create a system of long-term care, as opposed to the patches—excellent patches, but patches—that were in place around the province. I have sometimes referred to this as creating all of those patches into a quilt that will cover everyone, regardless of where they live and regardless of what they need.

I think it's important to remember that this debate has somehow drowned out the work and the commitment of many of the people who both initiated that debate in the first place, because they saw a need, and have participated in that debate for many years in their own communities and in their own organizations, because I suspect there isn't an organization involved in long-term care that hasn't had at least one or two or three retreats, discussions, seminars about how to improve the system. Many of the reforms that are now being put in place reflect those discussions.

There has been a consensus over the years that reorganization and reform was necessary. I think it's worth asking ourselves, given that consensus, why has Bill 173 become the lightning rod for so much emotion, so much misinformation and so much fear and concern that have somehow been generated around that piece of legislation?

I think the answer to that question is, because Bill 173 represents change and the reorganization of long-term care represents change, change that builds on the excellence of the services that are and have been provided, but change that recognizes that if those services are to be put on a footing that we can be sure we can sustain into the future, a future where not only is there not the unlimited funding that there was in the 1980s, but where the

number of people requiring care is going to increase significantly as the population ages and as the patterns of health care change, if we are to create that sustainable footing, then we have to act.

Interestingly enough, in the press conference that the consumer groups had this morning, they put it very well. I quote from one of their statements: "Shooting the messenger will not make the reality of our message go away. Our existing system of community-based services does not and will not meet the growing needs of Ontario's elderly population. However, fundamental reforms, such as MSA creation, do offer the opportunity to enhance both the quality and the efficiency of those services."

That is a change. It requires the people who now work in the system to change the way in which they work and the professional relationships they may have developed, but to change so that they can serve their clients better. That's what this is all about. That's what all of the organizations that we heard today in question period are resisting this change were formed to do: to provide service to the people who needed it in this province.

We, as a result of years of debate, discussion and consultation, are saying that the way to do that is to reorganize the way in which service is provided, and to provide that service in a way that gives the consumer a much greater say in both the management and the running of the agencies and in the rights that they have, because they are now getting care in their own communities, the same rights they deserve to have there as they have when they move into institutions.

I am reminded of the debates around medicare, the change that it involved and the horror stories and scare scenarios that were constructed at that time, all of which of course are hollow today as we look back on the success that medicare has been. I suspect that many of those who have those same scare scenarios today will some day look back on today as a beginning of a turning point and the fact that we have a long-term care system of which I know this province is going to be very proud.

Let me just say a couple of things about MSAs, because that seems to be the focus of so much of the concern. MSAs will be local voluntary non-profit organizations, preferably with charitable status. They will be governed by volunteer boards comprised of consumers and others. They will need, they will involve and they will welcome volunteers.

They will provide that one-stop access we've heard so much about and they will continue to provide services to the consumers who are presently receiving them, probably, we hope, with the same provider providing that service, though perhaps that provider's paycheque will come from a different organization, because the MSAs will employ the workers currently working in the system. They will not be inviting in new workers until those workers currently in the system are placed in jobs probably as close as possible to what they are now doing.

MSAs will respond to the consumer's ethnic, cultural, religious, spiritual, linguistic and familial preferences. They will be consumer-based, they will be in the community and they will be run by the community.

They will not be large government bureaucracies. I think that's the canard that most offends me, because the change that our government made from the proposals of the Liberal government was just so that we would not create bureaucracies, because that was what we heard loudly in the consultation was not what people wanted. The board members will not be government appointees, and I do not believe that they will result in a loss of volunteers.

I want to say directly to the consumers that MSAs will not take your services away, nor restrict your access to services, and they will not compromise the ability of the thousands of front-line workers currently employed to continue to provide community-based services. They will not leave the sole control of services in the hands of providers or government, nor eliminate consumer choice.

I want to acknowledge, as we get to this point in the debate—and my colleagues will talk about the amendments that have resulted from the debate and the submissions to the committee—that there has been a great deal of emotional turmoil as a result of these reforms and this reorganization. I think that's inevitable, given the extent of the change that we're proposing, a change that is expanding the services but a change that is reorganizing the way in which they are delivered. It is a change that is designed to benefit the people the whole system is designed to serve: the seniors and the disabled.

I am heartened, comforted and encouraged that throughout this turmoil, throughout this debate, the consumers have been clear about what they want and they—

The Deputy Speaker (Mr Gilles E. Morin): Thank you. Your time has expired. Any further debate?

Mrs Barbara Sullivan (Halton Centre): As you know, Mr Speaker, Bill 173 will pass through its third and final reading this week because the government has invoked closure and cut off debate. I expect it will be proclaimed as law either before the end of this year or early in the next. I'm deeply disappointed, because I had hoped that we would be able to come to an all-party accommodation on this legislation and have a framework for a system that would really be effective. However, I'm convinced that there are elements to this bill that are so unnecessary, so costly and so negative that it will not work. I believe that's a tragedy and I'll tell you why.

But first, I want to reiterate what my party supports in this legislation and believes there to be broad-based support for. First of all, we wanted a single place where a person can call or be referred to for service. A central point of access for information and service is fundamental to any concept of long-term-care reform, and we got that.

1610

We wanted to see greater coordination of services to people who need them and much-improved information sharing among those who provide services. We got that. In fact, as the Minister of Health has herself acknowledged, we indeed are encouraged by the extent of coordination of services and case evaluation that has been undertaken to date by existing providers in long-term care and we think that is a positive result of long-term-care

discussions which have been occurring over the past 10 years.

We wanted central provincial standards for long-term-care services. We believe this bill goes a long way in providing that.

We wanted to see a streamlined assessment method, where one process of assessment could gauge clinical, health and social services needs. We have the first step in this bill in streamlined assessment, but I should tell you, Mr Speaker, that we are deeply concerned that the clinical needs of those long-term-care consumers with medical and other health problems will be glossed over. There is in fact increased fragmentation created through this system; another new silo has been created.

In fact, it was only at my urging that the purpose section of the bill was amended to ensure that coordination with other health professionals, facilities and organizations was included as a fundamental premise of this legislation. This is extremely important. When 90% of seniors entering the long-term-care system have a medical problem, that coordination is clearly vital.

A particularly important presentation from the Association of Ontario Physicians and Dentists in Public Service spoke of the needs of breaking down barriers between long-term-care reform and mental health reform. I'd like to quote directly from that presentation, which was made to our committee on the September 13. The association says:

"As it currently stands, Bill 173 ignores three critical issues: the need for long-term care of the severely mentally ill who are not elderly, the needs of a large percentage of elderly who suffer from mental illness and the need for flexibility during the mental health reform process. We need this flexibility to address the long-term-care issues of those with concurrent medical and severe mental illness."

Later in their report they describe the seriousness of this particular issue:

"The Ontario population is aging at a rapid rate; that is clear to all of us. What may not be so obvious is that mental and behaviour disorders are much more common in people with declining health and advancing years. We can expect an exponential increase in these problems in the next 20 years.

"The Canadian Study of Health and Aging, a document which is well known to this committee, indicates that 8% of all Canadians over the age of 65 currently suffer from progressive dementia—just one of the mental illnesses associated with aging. The same study estimates that the actual number of dementia cases will more than double by the year 2021 and triple by 2031. In some provincial hospital schizophrenia clinics today, the average age of our patients is between 50 and 60.

"Clearly, the stakes are high for long-term-care reform for the elderly with mental disorders.

"Without dwelling too long on statistics, an appreciation of the impact of elderly mental health is important in the larger picture of health care reform in Ontario, of which long-term care is a part. Ministry of Health studies have shown that as many as 50% of all hospitalized

elderly have at least one psychiatric problem.

"The numbers are even more striking in long-term-care facilities. As many as 70% of their elderly residents exhibit personality or behaviour problems which may be psychiatric in nature. And as many as 80% have a diagnosed psychiatric disorder.

"Our association members are on the front lines of these new, and at times alarming, mental health care needs of the elderly. As these people with mental disorders live longer, we've also had to grapple with the issues of their long-term care. It seems to us that now, when the problem is increasing and placing strains on existing systems, is not the time to radically shift the burden of this responsibility. Nor do we believe it's the time to diminish the role of the trained professional in the assessment, treatment and ongoing care of these elderly patients. That's what appears to be happening by not considering mental health needs in Bill 173."

That is the kind of linkage that we had hoped to see throughout the system as long-term-care reform moved ahead.

There's another area that's of major concern. Children have been included in Bill 173, but to us they seem to have been an afterthought. The concerns that we have expressed at committee and once again are bringing before this House are echoed by people who are attempting to provide a rational plan for meeting the needs of children and their families.

Let me quote from the Association of Treatment Centres of Ontario, which wrote to me, on October 11, as follows:

"We are supportive of the principles underlying long-term-care reform and uphold the principles of accessibility, affordability and local planning. We're requesting an amendment that will state that services for children will be planned and delivered within the existing children's system by those specializing in children's services.

"We're not asking for structural changes, we are asking that the bill state a principle so that attention will be paid to the special needs of children in the planning at the local level, that the needs of children will not be lost in a system primarily designed to meet adult needs, and that needless duplication of services will be avoided."

The position of the Association of Treatment Centres of Ontario is also supported by the Easter Seal Society and the Metropolitan Toronto Association for Community Living, which do so much in caring for children who need long-term care. But as well, the long-term-care steering committee for the Metro Toronto District Health Council has also raised concerns about the issue of the inclusion of children in Bill 173. Indeed, its conclusion from its report was, "It has been recommended that decisions regarding the access and delivery mechanisms for children to those services which are in the long-term-care 'basket of services' should be deferred until the recommendations from...other initiatives are more apparent."

There are many, many questions about the issue of children's services and how they were considered and

how well and carefully they were considered as they were included in Bill 173. Where do children's treatment centres fit in the 20% purchase rule and why are day care programs for children and for the disabled excluded from an exemption to the 20% limit on purchases from facilities and institutions when that exemption has been granted or will be granted by law to seniors?

For the disabled, who are also included in this long-term-care reform there are other questions and other emphases. Where does supportive housing fit? What has happened to the direct funding pilot and will direct funding be integrated into an envelope funding model? How will people who have capacity and acumen, and limitations only in physical function, be able to determine the services to meet their own needs rather than be subject to third-party assessors? Clearly, we believe that much more needs to be done to address these areas.

But there were also other areas on our own reform agenda. We wanted a mandatory basket of services so that people in communities which have fewer resources—both financial and human—would not be at a severe disadvantage as compared to people in communities which could provide greater and more extensive services. We got that.

We wanted clear, consistent rules from the province about how services would be paid for, what payments were government's responsibilities, what payments should be shared between government and the individual and what payments were the individual's responsibility. We got that, and I think that if people refer to the section of the bill which describes the community services that are included in the mandatory basket, we find the community support services, homemaking, personal support services and professional services, which are delineated, and that those services which are the community support services and homemaking services will in fact be allowed to have a copayment or a user fee or a consumer contribution to the cost of receipt of those services, whereas personal support services and professional services are indeed paid for by the government.

1620

We think that's an improvement, because people wanted clear and consistent rules. What's still of concern, however, is the government's commitment to funding those mandatory services. Despite our pressure and amendments which we put forward to ensure that the government would commit to pay for those mandatory services, the government defeated our amendments.

So there is a fear that while each multiservice agency may be required to provide those services, it will not have the resources to do so. The only guarantee in this bill is a right to be put on a waiting list. MSAs, we predict, will end up, as our long-term-care facilities have, after Bill 101, with high obligations for services and no guarantee of funding. In long-term-care facilities today, people require more care than facilities are equipped to provide. We believe the same scenario is likely to follow on the community-based side of long-term-care reform, and, I repeat, the only guarantee in Bill 173 for seniors, disabled and youth is a waiting list.

We wanted to ensure throughout long-term-care reform

discussions that there was caregiver recognition, that when a wife or another family member or a neighbour was supporting someone in their own home, there were opportunities for respite for that person, there was a place to go for the patient or someone else to provide desperately needed relief in the home on a regular basis. We believe we got that.

We wanted to ensure that while the government outlined the parameters, spelled out the policy, indicated the resources that would be available for a reformed long-term-care system—in other words, spelled out the whats of the legislation—local communities could determine the hows, the best mechanisms for ensuring that there was a coordination, that there was a high level of quality, that there was a continuum of care. We certainly didn't get that.

What we got was an inflexible template, a highly centralized structure and delivery model that in fact eliminates local decision-making. In a province that's as diverse as Ontario—diverse in geography, demographics, history and culture—I do not believe that one template will work, and I'm not alone. Only two of close to 300 individuals, groups and organizations who appeared in public hearings on this bill supported the government's approach. Everyone said: "This is wrong. There are serious problems with this approach." I do not believe that those presenters in every area of the province that we visited and who have written to us from every area of the province were acting solely out of self-interest.

People wanted a multiservice system; instead, they got a multiservice agency. I sincerely believe that the government has misread the public consultations, and the results of its own ideology have run amok with what would be a rational policy approach.

Let's talk about the multiservice agencies themselves. They must serve a specified geographic area. They must be the primary provider of all community-based care for seniors, the disabled and for children. The agency is allowed to spend a maximum of 20% of its approved budget for services not provided by its own employees. Most of those services which will be required outside of the agency will in fact be highly specialized.

A local community is not allowed to determine its own model of service delivery, whether that model is the one that the government has put forward, whether it's a federated agency model, whether it's a service coordination model, whether it's a contract model, whether it's a cooperative model. It must follow the government model. That will be the law. It will have four years after submitting its application to the minister to implement that model whether local people believe it will work or not.

The effect of this is that organizations that have provided exemplary care for decades will cease to exist. The Victorian Order of Nurses; the Visiting Homemakers Association; Meals on Wheels; the March of Dimes; in my own community, Halton Helping Hands; Saint Elizabeth visiting nurses; Red Cross homemaking, and many other commercial and non-profit agencies will simply be put out of business. With a stricture on purchases to 20% of the total budget, they will not have

enough business to enable them to stay alive. Boards of health will only be able to become an MSA as a last resort.

Throughout the debate, we were puzzled as to the government's rationale for its decisions and we pushed it to give us that rationale. We asked them questions. "Why couldn't VON and Saint Elizabeth and Meals on Wheels continue to provide services?" we asked. "Well, their administration is too expensive." "How do you know?" we asked. "You haven't done any cost analysis of this entire proposal nor even of any part of it." "Ah," they answered, "we're relying on a study done by Price Waterhouse for the Senior Citizens' Consumers Alliance which we funded."

Then Price Waterhouse withdrew its own study in an unprecedented move, because by its own admission its methodology was flawed. As the *Toronto Star* observed today, the report has "been hopelessly discredited."

That is when we got closure on this bill; not changes but closure.

We had more questions as well. "Why can't the Red Cross continue to provide services?" The answer was, "The Red Cross isn't accountable because it's incorporated under federal law." Where has the government been for all these years? Red Cross has been providing home-making services in 78 communities across this province according to the government's criteria for years. In some parts of Ontario, it's the only service that's available. It has 10,000 volunteers. How did Red Cross suddenly become unaccountable?

We asked why private sector providers who deliver a major portion of health care and nursing services in many parts of Ontario are now completely out of the system. That question has no merit to an NDP government despite testimony from non-profit agencies that spoke of the value of competition within the system in ensuring quality and the value of gleaning new experience from providers who operate from a different base.

To us, it makes no sense to eliminate all private sector providers, any more than it makes sense to arbitrarily eliminate Red Cross homemaking. Both of those services add their capital investment, their management expertise, their systems approach to case management, and they provide caring and effective service.

We asked why boards of health can only be considered as a multiservice agency as a last resort. The answer was, "They're not accountable or representative either," despite the fact that they're charged now with carrying the home care system, despite the fact that they include people who are elected within their own communities, despite the fact that they are in large part responsible for all health promotion and disease prevention activities in Ontario. "No. They're not accountable and they're not representative." Those are the answers that we received in committee. That's how the government defended its decisions.

1630

The government's model is inflexible. It says that a new agency must be formed. Its board must be selected from its membership.

I noted in a news conference today, sponsored by the

consumers' alliance, much of whose work I admire enormously, Jane Leitch spoke of her high hopes, and I want to quote, of "consumers having control over services in their community." I also noted the pleasure with which the alliance greeted the new multiservice agency board makeup, which will have one-third consumer representation.

I want to look at this governance issue for a moment and I want to examine with you what powers the board of the new multiservice agency will have.

First of all, can it determine its own funding needs? No. The Minister of Health does that, and that's in the regulations.

Can it determine what services it will offer? No. There will be a minimum basket of services and, beyond that, the Minister of Health must approve any additional services which are proposed.

Can it decide that it wants to buy services from an agency that has provided exemplary general or specialized services within the area? Not unless the cost of those services is under 20% of the budget.

Can it set its own budget? No. The Minister of Health must approve all budgets.

Can it say that it should concentrate on certain services and refer other services? No, it can't.

Can it even determine the elements of its volunteer programs? No. The Minister of Health will make regulations about that.

Can it approve referral of special-needs clients outside of its geographic area? No, it can only deal with issues within the geographic area, and our amendments to that effect were voted down.

Can the membership of the multiservice agency even ratify the election of its own board members? No. The Minister of Health must do that.

Can it select its own committee members when it sets up committees to carry out its work? Oh, yes, it can, but they must be approved by the Minister of Health, and if the Minister of Health doesn't like the selection that local people have made, another will have to be made.

Mr Speaker, we're all busy people, and people who volunteer in our communities are busy people. Do you know of anyone who would want to sit on a board which has no authority for decision-making of any kind? Why waste time? Why not just have the regional office of the Ministry of Health make the decisions in the first place, because they will be making them in the end?

When the government talks about consumer participation, what it's doing is giving consumers the right to rubber-stamp government decisions or to make decisions that can't be carried out without the government's imprimatur. That's not community participation, and I hope that consumers won't be fooled by any of the rhetoric we've heard from the government side of the House.

Let's now look at who can work for a multiservice agency. We know that when existing agencies close down, their employees will be laid off, their income and their pensions affected. If they are not hired by a multi-

service agency, the government will cover their severance costs. It will in fact be putting money into severance instead of into service.

But on close to the last day of committee clause-by-clause examination of this bill, the government brought in some new rules. First preference in hiring must be given to union members. The labour relations board cannot require a certification vote if union members form any part of the membership of the workforce of the new multiservice agency. A unionized workplace will be deemed, whether the workers want it or not. There will be no certification vote, and this is the only sector in our entire labour force in this province where this provision will apply. In the event of a strike, the multiservice agency will not be allowed to purchase services from any other agency above the 20% maximum.

Well, let's look at what actually happened in a strike scenario in Brant-Brantford, a home care, from March 1 to June 15, 1993. To do that, I'd like to quote from a report which is a synopsis on that particular strike and how the new provisions of this bill would now be put into play in a similar circumstance:

"Brant home care had a contract with the Red Cross to provide homemaking services to Brant home care clients throughout Brant-Brantford.

"With a strike on the horizon, the director of the home care program developed a contingency plan to minimize the impact of a strike.

"The contingency plan saw Brant County Home Care contract with other service providers in the community, particularly the Victorian Order of Nurses."

The report goes on to say:

"Service providers in Brant-Brantford know the reality of a homemaker strike. They also know that the only means to ensure a continuum of care in the community is to allow the delivery agency, such as Brant County Home Care, the authority and the flexibility to enter into a variety of contracts with service providers, so that the delivery agency is not the sole employer and is not subject to the provisions of Bill 40," the Ontario Labour Relations Act.

I suggest to you that what is now even more of an impact is the new provisions of Bill 173. The report goes on to say:

"The implications of the strike were far-reaching. Other unions refused to cross the Red Cross homemakers' picket lines in front of the Red Cross office. The food supplier for the Red Cross Meals on Wheels program refused to make deliveries. The postal worker would not deliver the mail and the courier would not deliver parcels. All Red Cross services were in jeopardy. Consequently, the Red Cross made temporary arrangements for deliveries and programs to be operated from local churches."

The analysis that follows from that experience follows:

"The proposed multiservice agency model...would not allow for the hiring of outside workers as the MSA is the sole employer. Therefore, during a strike, service would be completely interrupted.

"Clients would be compromised in a strike in the MSA model. They would have to simply do without, or

contract privately with independent service providers, and pay for the service themselves.

"Service providers recognize that during a strike, female family members would be called into duty to aid an elderly or sick family member. This would only serve to reinforce the stereotype of women as caregivers and yield additional stress to the family unit.

"There is also the fear of sympathetic strikes. In the event that the home care workers go on strike, would home care nurses refuse to cross the picket lines?"

I'm grateful to my colleague Ron Eddy, the member of provincial Parliament for Brant-Haldimand, and his staff for doing a thorough analysis and for conducting the thorough interviews with respect to the impact of that strike on clients in his community.

People who require home care deserve to have the assurance that they will have uninterrupted service in the event of a labour disruption. But the Ministry of Health has brought in a new law making it impossible for multiservice agencies to fulfil their obligatory service requirements. Who was the Ministry of Health paying off at the expense of clients in the community, and what does that provision do other than jeopardize the care of people who desperately need it?

Surely the focus should be on the service, the kind of care that people need and on enhancing that care and that service. What do any of these things that the ministry added very late on in this discussion have to do with service and care, and what do any of these things have to do with fairness and equity for people who work in long-term care now? Those provisions are neither fair nor equitable to people who work in the long-term care system today. They don't have much to do with fairness and equity but they will be the law.

1640

There will be many other impacts; pensions, for one. I don't believe that this government has even given a modicum of consideration to the impact on pension plans of people who are now employed in the system. In some cases those impacts will be severe. We are told, by example, that the Victorian Order of Nurses' pension plan, which is a national one, may have to completely wind down. The impacts will not only be on workers in Ontario but on workers in Alberta, Saskatchewan, Manitoba and other provinces where the Victorian Order of Nurses delivers service.

There are other aspects of these changes that are disturbing as well. You will know that existing agencies have capital equipment and goods, from cars to computers to leases, that have been built up over the years through community effort and through sound budgeting. The government has made no commitment to compensating agencies for that equipment, and multiservice agencies will have to build up a new complement of capital goods, cars, by example, to ensure that nurses can get to people's homes.

How much service money will be diverted to replace capital goods that are now in place? They are not owned by the government. Does the government intend to compensate for or to confiscate those capital goods?

We're already facing caps on service and user-fee increases. What other decisions will be made that will seriously cut into the moneys that are available for service?

Lastly, I want to share a very serious concern, because the government has made what I view as an arrogant assumption that people who volunteer for existing agencies will simply switch their allegiances to a new multiservice agency. I don't believe that. For many people, there are personal preferences and ties that stem from family experience, religious and cultural ties, interest in a particular service specialty and many other factors that draw people to volunteer in the first place.

Volunteers are crucial in our system. They provide patient care, they provide social support, they fund-raise, they crusade for their organizations and for their clients. They provide information and they share fellowship. They sit next to the bed of a person who's dying and they provide comfort. They deliver food and they take people to and from meetings, recreation and rehabilitation. They pay, through their efforts, for cars and computers and meeting halls. Without volunteers our system will collapse.

I provided some reasons why we support many, many aspects of this bill and believe that particular sections are vitally important as we move into a reformed long-term-care system. I have provided to this House the reasons why we will not, in fact, end up voting for this bill. We will not vote for this bill despite the fact that we believe that reform of the long-term-care system is necessary and long overdue. I had sincerely hoped for another scenario. I had hoped that we would see the flexibility from this government that would ensure that this legislation would work.

We have committed to changing this legislation after the next election, if we form the government, so that it will work in every part of Ontario. There will be no 80-20 rule. Multiservice agencies should be able to determine the optimum mix of services which they will provide and the mix of services which they will be able to purchase. We believe the communities should be able to choose their own system, whether it's a service coordination model, a federated model, a brokerage model, a contract model, a cooperative agency, a board of health.

We will remove the draconian labour requirements that have been included in this bill and ensure that all workers, whether they currently belong to a union or do not belong to a union, are treated fairly and equitably.

We will change this legislation to ensure true participation of members of the local community in decision-making that will meet community needs. We will not be looking over the shoulder of the board of directors on decisions such as who can sit on the subcommittees of the boards of MSAs.

We will also ensure that this bill includes real linkages with other professional services, facilities and institutions to ensure a real continuum of care.

Let me quote from a letter which our leader, Lyn McLeod; Yvonne O'Neill, our critic for Community and

Social Services; and myself, as Health critic, have sent to hundreds of people who want to know how we will fix Bill 173. We write:

"We are convinced that in a reformed long-term-care system there must be provincial goals and standards, there must be simple access, there must be multidisciplinary coordination. We are convinced that there must be a multiservice system—but unfortunately, what we're getting is a multiservice agency.

"We have said publicly that if we form the government after the next election we will treat changes to Bill 173 as a priority. We will provide flexibility so that local areas can determine, within the context of provincial standards, how services can best be delivered to people who need them in their homes or in their community.

"In every effort that we have made for change in long-term-care services we have said that it is the patient—the consumer—"for whom the system must be designed, and not the Minister of Health."

That is what we intend to insist on and that is what we intend to do.

Mr Jim Wilson (Simcoe West): It is with sadness that I rise to spend the next 10 minutes once again discussing Bill 173 in this Legislature. I am sad, and I truly am sad, because today with the third reading debate and with the vote expected tomorrow after question period, we will be witnessing the beginning of the end of the Victorian Order of Nurses, the Red Cross home-making service, Meals on Wheels, Saint Elizabeth Visiting Nurses' Association, and many other agencies that together have provided decades and decades of services to seniors and the disabled and the people who require long-term-care services in their communities.

It's with sadness too because we were unable today to get a commitment from the Minister of Health that she would not move forward with the implementation of this legislation until many of the serious flaws in the legislation are corrected. We have an extreme degree of stubbornness being demonstrated by the government with respect to this legislation, and at the end of the day we will not end up with the coordinated, accessible system that the government claims that Bill 173 establishes. We will end up with a bureaucratic, monolithic, monopolistic, expensive boondoggle.

That's all this legislation represents. The new multiservice agencies, combined with the one-stop unionization, combined with the 80-20 rule and the monopoly and the delivery of services really, in the final analysis, mean that there will be fewer services, fewer people doing those services and that the waiting lists will continue.

I've spoken at length and often about this legislation, both in committee and in the House, so unlike my Liberal colleague I don't want to go through in the few minutes I have many of the specifics other than to express to people that there is some hope, and certainly a commitment that was reiterated today by the leader of the Ontario PC Party, Mike Harris, that we will undo the damaging and devastating aspects of Bill 173. Our hope is that the government actually won't get around to

proclaiming this legislation in the next few months. I say to the bureaucrats who are sitting at the back, don't be in any rush to implement this if you value your jobs, and I mean that.

1650

Hon Frances Lankin (Minister of Economic Development and Trade): Holy mackerel. That is outrageous.

Mr Jim Wilson: Well, I'm having a difficult time figuring out, over the past few months, whether it's totally the political masters who messed up long-term-care reform or whether there's some work being done in the bowels of our bureaucracy that might have helped the government get off track.

This is a free Parliament with free speech, and I am speaking from the heart. I hope there are sounder minds in the bureaucracy who do not agree with the unionization measures of this bill, who agree with me when I say that it is immoral for the government, on the backs and off the sweat of the brows of seniors in this province, to do a unionization drive to simply fill the coffers of the New Democratic party. It is wrong, it is never morally acceptable and it is not the role of government.

I would agree that had you not brought in your 11th-hour section 15 labour amendments, we would not have been able to confirm our theory that we've held for many, many months that this was simply one-stop unionization and not about increasing access to services and not about increasing services. But when you brought in your section 15 amendments, it became abundantly clear to anyone who can read the English or French language that the true agenda is and was what we contended all the way along.

In fact, I remember having discussions with some of our bureaucrats who said no, there were no deals with the OFL; no, we would not be bringing in amendments that would bias this bill in favour of unions and unionization and against those people, half the home care sector now, who are non-unionized. And yet just before public debate was cut off, these amendments appeared on the table and your true agenda was exposed for what we had thought for quite a while was the agenda.

On November 14, 1994, the Canadian Association of Retired Persons, CARP, called for "a system that is less bureaucratic and monolithic, allowing seniors and their families to obtain advice but without losing the right to choose how they wish to live, whom they wish to entrust with their care, and freedom to determine their own future." I thought that was a beautiful summary of what the intent of phase 2 of long-term care was all about. That's certainly what we bought into many months ago and years ago when we used to talk about one-stop access, better coordination. It was exactly what CARP has said.

But what we've ended up with is, as I've said, something that is going to be very expensive, unworkable, and a system that is not supported by any type of cost-benefit analysis or study or one iota of logical fact and data to legislators and to the people of this province. As has been mentioned, the Price Waterhouse study, which is what the NDP hung its hat on for a few weeks, was withdrawn by

that firm. I think in an effort to save their reputation in this world, they withdrew what was clearly a flawed study.

The government says that it heard from some 75,000 people during consultation on this bill. I was at a number of those hearings. I've seen summaries of what seniors and the people of this province told the government, and the government was never told to wipe out the VON or the Red Cross or the Saint Elizabeth Visiting Nurses' Association or Meals on Wheels, or the dozens and dozens of other agencies out there.

The government says that by combining some 1,200 agencies into 200 or more MSAs, that will somehow save money, although they can't prove it, and improve the quality of services. I think this is what the consumers who are in favour, and there are very few of them, of this legislation undoubtedly have been promised, that there will be savings and that there will be higher-quality services somehow at the end.

But that's not what's going to happen. I think this amalgamation of agencies is somewhat akin to taking 14 lines in a bank and reducing it to two lines. It does not improve service but makes waiting in line take longer.

The government, if it really was about improving service, should be able to give us some fact that we can see, some study that we can understand and analyse to prove its point, and clearly it can't do that. Today, as I do almost every day and have been doing for many years now, I met with a number of health care groups, in particular provider agencies. I think what I must do in the few minutes I have remaining is to tell people—although I didn't think I'd ever be elected to encourage a small degree of civil disobedience—that with the ridiculousness of this boondoggle that the government's created and the immorality behind it all, it's now incumbent upon service provider agencies to not cooperate in the next few months.

I say to employees, do not unionize, as I know some of the VON have already done, and meetings are under way because they can't get jobs under the NDP's Bill 173 unless they are unionized. They are very much afraid they won't get a job in the new multiservice agency. Keep in mind that if you unionize in these very few months before the next election, if we form the government, we can undo that too. If we find that clearly the unionization is attached to wanting to be into an MSA, which we're going to do away with, then we can very much do that too.

Unfortunately, the precedent was set in the NDP's own social contract. I would say that's a fairly desperate thing and we would not want to do it. But if I hear of any more VONs etc who are simply unionizing right now because they're afraid they won't get a job in the MSA, I can tell you that we will be weighing that very, very carefully when we get into office.

At the end of the day, I want to tell everyone here that we are only interested in front-line services. We are not all that interested in who represents whom and about all of these committees and about the social contract, which Michael Decter at least had the honesty to admit was not about saving money but was merely about power. I'll tell

you, it's power to the people. The people who need services in this province need our scarce health care dollars put towards front-line services and not towards arguments about who will represent whom and how big a bureaucracy can we create in a multiservice agency, and forget about the people of Ontario who require services.

If we are to change the direction of the ministry, we will downsize the ministry and we will make sure that our discussions are about front-line services, service providers. We want to keep in the system those providers that are doing a good job now, and if anything, I've been extremely convinced that the VON and the Red Cross and Saint Elizabeth visiting nurses and Meals on Wheels, the ones we talk about most often, the large players in the system, are cost-effective.

The government is not able to bring forward anything to show us evidence contrary to that. If anything, we know from our private sector experience that smaller, autonomous and effective units, agencies out there, are the way of the future, not the old way of "bigger is better" somehow, because you cannot prove bigger is better. What we're doing here is exchanging a number of cost-effective agencies where in fact the managers in many of our small towns also provide front-line services and do their administrative duties. How can you get more cost-effective than that?

1700

What we're doing here is replacing a number of agencies, in the name of amalgamation, with a number of departments in a multiservice agency. I don't know anyone who's satisfied with the level of care they're getting from government these days. I don't know anyone who can get through the phone lines in government these days without getting some talking machine. The humanness and the humaneness have gone out of government services.

Interjections.

Mr Jim Wilson: It's incumbent upon you people not to heckle but to examine your consciences and to ask yourselves what you're doing with Bill 173.

Interjection.

The Acting Speaker (Mr Noble Villeneuve): Order. Order, please, the member for Oxford.

Mr Jim Wilson: All of the evidence is weighed against you. There is nothing that you can hang your hats on now to indicate to us that Bill 173 is good. I am recommending to my colleagues that we not vote for this legislation. Right up there with the labour laws that we will undo and scrap when we come to office, the Bill 40 labour laws, is Bill 173. The 80-20 rule, the NDP's multiservice agencies, the bias against boards of health and municipalities, all of that will be scrapped under a Mike Harris government too. I know Mr Harris will take a few minutes this afternoon to reaffirm our commitment.

I want to say, in ending, that I have very much enjoyed getting to know our service providers over the past few months. I have met and had the privilege of meeting some of the brightest minds in health care today. I like to think that many of them are my friends and that we've found common ground, albeit against a negative

bill by the government, but we've found common ground. I know in the future, with the level of cooperation that we've established, that we will be able to build a system, a truly coordinated system, that isn't overly prescriptive and that truly responds to the communities of our province.

I look forward to that challenge, hopefully after the next election. I make the commitment to all of our people here today that we do not want to see you thrown out of the system and that we will do everything we can to work with you, to improve services, those front-line services that the people of Ontario so desperately need.

Ms Jenny Carter (Peterborough): It gives me great pleasure to rise in support of Bill 173. This day has been a long time coming, about 10 years by some people's calculations. That's how long the province of Ontario has been deferring the decision to put a logical organizational framework on the development and delivery of long-term-care services for people living in the community. That's 10 years of wasted resources, wasted money and wasted time, and that responsibility lies with members across the floor.

The decision wasn't put off because it was the wrong decision; it was put off because neither of the other two parties had the fortitude or courage to do what is necessary. Here today we have a minister and a government prepared to act and follow through with a commitment that is long overdue, a commitment to the people of Ontario to spend funds wisely and to the people in receipt of services to give them a voice and a role in developing the care programs that sustain them. That is what long-term-care reform is all about: less waste and better, more responsive service.

Bill 173 provides for greater economies by providing seniors with their long-desired one-stop-shopping access to all services under one roof and by a single phone call. It means less waste and less duplication, because multiservice agencies will provide integrated case management, with clients being subject only to necessary assessments. That means less bureaucracy, not more.

Community-based multiservice agencies will also be directly responsible to the people served. Board members will consist of consumers of service and their care providers and healthy senior activists who are knowledgeable on health and social service issues. They will be community professionals concerned that the best possible home services are being provided in their region. Board members will reflect the age, gender, linguistic and cultural backgrounds of those who are served.

Volunteerism will flourish within an integrated system. People volunteer to help others, not because of any label. Our school boards and hospitals are good examples of large management structures that nevertheless continue to attract fine, reliable and loyal volunteers. That long-standing tradition of responsible citizenship which motivates volunteers is going to continue with multiservice agencies. In fact, they're most likely to make it easier for people to volunteer, just as they will make it easier for clients to gain access to services.

There have been scurrilous attacks on this bill because it acknowledges our legal responsibilities to unionized

employees. In fact, the bill represents an incredible breakthrough in labour relations in that it recognizes seniority for all employees, even those who are not part of organized bargaining units. That means front-line workers have job protection the like of which they've never before enjoyed. This issue is a red herring.

My community, the riding of Peterborough, is often used as an archetype of the typical Ontario city. It has only a very small minority of long-term-care workers who are unionized. They don't represent a threat to any front-line worker because they've been doing very specific case management work. Furthermore, this is an expanding system that has room for more workers, not fewer.

What do the opposition parties offer us? I want to give the Tories some credit. They did at least present an alternative in committee, a bizarre creature called a federated multiservice board. This model entrenched the status quo by setting up a new superboard composed of representatives of existing boards. It entrenched political meddling by having the minister appoint a few token consumers to the board. It entrenched conflict of interest and lack of accountability to consumers or the public by having the board disburse taxpayers' money to its own provider members. It multiplied levels of bureaucracy and deprived communities of control of their own health care.

This Tory vision of a reformed long-term-care system took us right back to the 1950s. Consumers asked us to reform the system, but all the Tories have given them is 1-800-status quo.

The Liberal Party, on the other hand, seems to have no vision about where to proceed. We've known for some time that they have a leader who is sometimes difficult to pin down. Well, now they've given us a virtual reality MSA.

We have a good bill. Let us get on with it.

Mrs Yvonne O'Neill (Ottawa-Rideau): The consent-to-treatment implications of Bill 173, the displacement of front-line health care workers, the sections of Bill 173 that deal with aboriginal issues, the new and very changing role of the district health councils, and indeed the new and much more powerful role of the Minister of Health, each of these significant issues was closed to debate by this Ontario NDP government. Each of these issues fell victim to the 18th closure motion of this Parliament. In spite of a continuing flood of objections, resistance, disagreement, protests and fears, this jackboot, sledgehammer government has moved forward.

Yes, from every region of this province, we continue to be presented with more and more reasons why this NDP government's long-term-care reform is off the rails. I'd like to place on the record some of the correspondence and comments which have crossed my desk just recently.

From Waterloo region chairman, Ken Seiling: Bill 173 will wreak havoc with Waterloo region's current system, in which the region acts as a "broker, coordinating a nice blend of volunteer, non-profit and for-profit agencies. This is probably one of the most destructive pieces of legislation that I've seen coming out of this government."

Not my words, Mr Speaker, but the words of Ken Seiling of Waterloo.

From the Coalition for Neighbourhood Services, a Metro group: "Bill 173 will not solve the problems in the community system. Bill 173 will create many new problems. Closing down community groups and creating mammoth bureaucracies will provide fewer services in people's homes and arbitrarily take away choices over their future."

These people, these experienced people, are telling us: "The proposed MSAs are too rigid.... Communities should be able to craft their own delivery systems and continue to use agencies...as they see fit."

1710

Without community flexibility, the new law is doomed to fail. What is needed is enabling legislation to allow communities to build on what is good, what has been successful, what has been working.

Twenty-nine provincial groups of consumers and professionals and volunteers have this to say:

"In our view, the single 'one size fits all' model specified by the Ontario government for all communities ignores the fundamental diversity of this province. It abandons the real principles of community-based care. The solution for Metro isn't the solution for Kingston, Kitchener or Kirkland Lake."

To quote Don Richmond, commissioner of community and social services for Metro Toronto:

"The MSA will be a structured, bureaucratic, provincially controlled agency that has nothing to do with...the community. It will be disastrous in a large urban area like Metro." Don Richmond, the commissioner of community and social services, has that to say.

"Putting everything," he continues, "in a single agency is like asking everyone to shop at a department store, but some people want to shop at smaller stores.

"The MSA will be given full responsibility," and not much authority. "Its funding will be provided at the whim of the province." Again, the words of Mr Richmond.

Mr Alex Lampropoulos says this about this NDP government:

"They want to centralize everything. They want to have a long arm from Queen's Park" to dictate things in Kingston, in Frontenac, in Addington, and that is just unacceptable."

Dr Alex Hukowich, medical officer of health for Haliburton, Kawartha and Pine Ridge district health unit, calls the bill "a straitjacket, not a framework, for improving long-term care."

Karl Samuelson, administrator from the Sun Parlor Home in Leamington, says Bill 173 is "akin to recommending invasive surgery for someone who's got the flu."

From the Ontario Home Care Case Managers Association of Ottawa:

"In reviewing Bill 173 and the strategies for long-term-care reform, it would appear more cost-effective to recognize the strengths of the current system."

The government's idea that combining agencies is

going to save money is built on flawed data, and that has been proven, Lyn Linton, executive director, Victorian Order of Nurses for Peterborough, Victoria and Haliburton, says. "The real cost of establishing MSAs has not been addressed."

We continue to ask for the cost-benefit analysis. It has never been presented. A fundamental issue has never, ever been addressed by this government regarding Bill 173.

This NDP government seems to have an uncanny ability to confuse, to alienate almost every group it comes in touch with: non-profit agencies, nurses and home care providers, not to mention the volunteers who contribute so much to this system.

Fay Booker, president of the VON of Ontario, says:

"The bill is fatally flawed in several ways. Building a new system from the ground up, the legislation gives the multiservice agency a monopoly on paid and volunteer care in each jurisdiction, throwing out decades of experience and knowledge of home and community service delivery."

I would like to end by quoting from a volunteer and from a consumer. Kathy Kennedy, a volunteer from Kingston, asks:

"Why is the government continuing to ignore the requests made by 95% of the respondents in the consultation who asked that access to and improved coordination of existing services be supported? To have spent millions of dollars to establish a new administrative organization while money for direct client services is being taken away seems in direct conflict with the purposes and the purported aim of this government's legislation" in long-term care reform.

Ann Donnellan, a consumer from Peterborough, says:

"I cannot help thinking that any changes to existing services should be dictated by the best interests of the clients rather than by political considerations. And I am outraged by the thought that any of the dedicated caregivers who have done so much for my family should have to worry about the possibility of losing their jobs because of a political agenda...."

"We need to think very carefully before dismantling a system which, while undoubtedly capable of improvement, really does work."

The minister today talked about patronizing those in need of long-term care. Bill 173, in my opinion, is an example of Queen's Park paternalism. Bill 173 is Queen's Park paternalism at its worst.

Mr Robert W. Runciman (Leeds-Grenville): I appreciate the opportunity to have some brief words of input into this legislation, which certainly is unfortunate legislation, to say the least. I want to talk briefly about a comment my colleague Mr Wilson, the member for Simcoe West, our Health critic, made during his comments when he alerted the bureaucracy responsible for implementation of this legislation as to its position with respect to a future government. There were some moans and groans from across the chamber from government members with respect to his comments.

But I simply want to reinforce them and send that

message out to the bureaucracy as well, that it should very much be concerned about proceeding quickly with implementation of this legislation, if indeed the government is going to ram it through, which is clearly what is occurring here, through time allocation. You've limited debate, you've limited opportunity for input and what input you've had from the public you've literally ignored.

I want to say that what my colleague Mr Wilson suggested is quite appropriate, I believe, because we're dealing here with what, in effect, is an illegitimate government, an illegitimate government that is operating beyond its mandate. In this province we have traditionally gone a maximum of four years for a government serving in office. They're now well into the fifth year. The polls show clearly that the government is mired at 15%. If you factor out the undecided vote, they have 6% support in the population of Ontario—a meagre 6%. In 1990 they were elected with less than 38% of the vote. This is clearly an illegitimate government that has no right whatsoever to bring in this kind of significant legislation which goes against the grain of virtually every Ontarian.

The Health minister has the unmitigated gall to stand in this House today and say, "We listened, we consulted." The reality is, they may have listened, they may have consulted, but they've clearly ignored virtually every word they heard during that process—virtually every word. The concerns have been reflected day after day. Again we see it indicated in the galleries of this House—widespread concern about the future of volunteer organizations in this province. But they continue to ignore them.

I'm not one to urge civil disobedience and I'm not going to do that, but I want to say, in respect to the service providers, I want them to clearly understand the position of the Mike Harris Conservative Party. If indeed we form the government, this legislation is going out; we're throwing this legislation out. We're going to have an election in the next few months. This government is going to be forced to go to the people. They obviously don't want to go. They're hanging on by their fingernails, with about 6% of the population of Ontario supporting them, shoving through this kind of legislation.

We're telling the service providers as well, take a look at how quickly you're being compelled to implement this. Do not cooperate in any way, shape or form with the government in implementing legislation that you very strongly opposed, that is going to create significant problems for you, frustration, expense and may mean the death of many volunteer organizations in this province. Do not cooperate, because they do not have the support of the people of Ontario to be doing what they're doing today. They do not have the support of the people of Ontario to even be in office today. That's the reality.

1720

I simply want to say that, as well as the other members in my party, the Mike Harris Conservative Party of Ontario, we've had thousands and thousands of people approaching us expressing their concerns. I've met with the Red Cross in my riding, the volunteers, the Victorian Order of Nurses, people who have made strong contributions to communities right across this province, people who have willingly given of their time and energy to help

their fellow citizens. These are the sorts of groups and individuals who are being dumped on, insulted by this socialist government.

Mr Cameron Jackson (Burlington South): They don't want you any more.

Mr Runciman: They don't want you any more; they want their union friends to take over virtually every one of these opportunities. Forget about volunteerism in this province; it does not mean anything to this socialist government, this illegitimate socialist government.

Again I urge the bureaucracy of this government and future governments to move cautiously, given the stand of our party if indeed we form the government. Again I urge service providers to not cooperate in any way, shape or form with speedy implementation.

Mr Dalton McGuinty (Ottawa South): I want to at the outset register my disappointment with the fact that we have so little time to speak to such an issue of so great import. We've also had time limitations with respect to the number of amendments that could be moved in committee, and that too was limited. I'm very disappointed in that as well.

I was elected in 1990, and so my parliamentary life hasn't been that long. But I have never seen so much opposition raised in the face of a government initiative during those four years, and by some very substantial organizations which have a tremendous history and breadth of experience in this province. We're talking about groups like the VON, Red Cross, Saint Elizabeth's, the Catholic Women's League and many others. At one point, I expected Mother Teresa to walk into the committee room and speak out against this bill.

The response that the government has offered from time to time is that these are only providers. If we look at them in that context, then surely to goodness they cannot possibly have the best interests of their consumers at heart. Surely they're only acting out of a mercenary interest, at the end of the day, or their own particular self-interest of whatever nature, but surely to God they cannot be acting in the best interests of consumers. I find that kind of a response insulting and impugning the motives of the good people who have been working on the front lines for decades in this province.

My particular concern is with respect to the impact this legislation is going to have on the voluntarism efforts presently being made in this province.

One of the reasons that we have a debt of some \$92 billion is that over the years there has been a gradual devolution of responsibilities from individuals to government. In many ways, that's been a good thing, so let's not be naïve about this. But given that we've hit the fiscal wall today, one of the things, to my way of thinking, that the government should be doing is promoting voluntarism where it doesn't exist and nurturing it wherever it does, but the very last thing it should be doing is acting in any way to discourage voluntarism.

Many people tend to forget that in this province and in this country we have a wonderful history of voluntarism. Our first schools, our first universities, our first hospitals were not bought and paid for by governments or

taxpayers; they were founded and run by volunteer agencies, non-profit agencies, religious organizations. Unfortunately, Bill 173 runs counter to this spirit.

I'm sure we have many of our own anecdotes and we heard from many, many presenters, obviously, in this matter. It's a very contentious issue, to say the least. I was out one day delivering Meals on Wheels with an older friend of mine, Cy Hoganson, 73 years of age. He was getting on to closing on the 2,000th delivery and we were talking about Bill 173 and he said to me, without any prompting, "The day the government gets into the Meals on Wheels business is the day that I get out." Anybody who thinks that volunteers will leap at the chance to work for an MSA, a multiservice agency, is either wilfully blind or hopelessly naïve when it comes to human nature.

Volunteers have loyalty to organizations like the VON, the Red Cross, Saint Elizabeth, Meals on Wheels because of the distinctive qualities and features of those organizations. As a volunteer, you get to pick the agency which best suits you. You pick an agency because you like the logo, you might like the motto, you might like the uniform, you might be attracted by the special mission or you might simply like the way they go about doing things. All of that distinctiveness will be lost if MSAs assume control for the delivery of services.

MSAs will, out of necessity in this age of political correctness, in an effort to offend none, will become a large, amorphous, colourless, flavourless organization.

Politics offers us a lesson, and we as politicians in this chamber ought to recognize that. People don't volunteer for the government. They sign up for our campaigns, they join our parties, they may have some affinity or some affiliation to our party or to us as individuals. The parties and we, as individuals, offer something distinctive, presumably, from something else.

Mr Kimble Sutherland (Oxford): What about children's aid societies? They have lots of volunteers.

Mr McGuinty: I want to take the opportunity to respond to an issue that has been raised on a number of occasions, and the member here is shouting it out across the floor: What about all of those people who volunteer for government agencies at the present time? In fact, there are some such volunteers. My leader today, in a question to the Minister of Health, raised this issue.

I got in touch with the Canadian Centre for Philanthropy. Many people, obviously, can only offer opinions, but I would submit that some opinions ought to be given more weight than others. When it comes to the Canadian Centre for Philanthropy, the people who are out there to promote voluntarism in the country, I think we ought to be attributing a substantial amount of weight to their opinion. They told me that, indeed, there are people who volunteer for government organizations. But, lo and behold, the more money you get from the government, the fewer volunteers you attract. I'm just going to read one passage from page 42 of *A Portrait of Canada's Charities*. It says:

"The most common type of charities for which Canadians volunteer is 'other charitable organizations,'" which

is their category, "which use almost three million volunteers. Almost two thirds of Canada's volunteers, 65%, devote their time to other charitable organizations, with most of these volunteering for welfare and benefits-to-the-community charities. As for the remaining 35%, the majority spend their time with places of worship. Hospitals and teaching institutions, which are important in the area of formal employment, together account for only 8% of volunteers."

1730

If we flip to page 24, we learn that the government-funded organizations which get the most money are hospitals and teaching institutions. You wouldn't think you'd need this to be reduced in writing in the form of a study presented by some expert for us to recognize this. I think to most of us it would make good sense. The closer you are to government, the less likely that you're going to arouse some genuine interest in your welfare and arouse some need to make some kind of a philanthropic contribution. Governments today are behind the eight ball. If you're in government; you're suspect. That may not be fair, but those are the rules that happen to be operating today.

So I think the last thing we want to do, if our objective here is to promote volunteerism, is to cloak the delivery of long-term care in this province under the guise, some guise, of government. Let's be clear about this: What we're talking of at the end of the day here is perception, and many people will come to believe that MSAs are an arm of the government.

I want to touch briefly on the issue of costs, and particularly the fact that we have no reasonable expectation as to what the cost might be of implementing Bill 173. The government itself did not commission a study. A study was commissioned by a group, but that study has now been yanked. So effectively, we have no numbers on which we can rely in this chamber here, and I think that given that, it would be irresponsible to proceed.

Maybe a good fallback position would be simply to have a pilot project. Why couldn't we have a pilot project which would allow us to study in some detail Bill 173 and how it affects a particular community, what it does to volunteerism, what it does in terms of offering services to consumers?

The final point I want to make is that so much of your assessment of what exists today in this province in terms of the delivery of long-term-care services depends on your own particular perspective. Now, to some, and the government in particular, it is a complex patchwork of many, many service providers. It is certainly not neat and it is certainly not tidy. To me, the long-term-care delivery system that has evolved in this province is in many ways—and maybe this is because I studied biology for a few years—a thing of beauty. It is a living, breathing creature which has evolved over the years to meet varying and changing needs as and when they arose, and that's pretty darn significant.

We do have a problem. There's no doubt about that whatsoever. We have a lack of coordination between the various service providers. But the solution does not lie in government assuming responsibility for the delivery of

those services. It would lie in developing some kind of coordination system, and it certainly does not lie in micro-management, something which will act to kill individual communities' abilities to respond to their local needs.

Mr Leo Jordan (Lanark-Renfrew): I appreciate the opportunity this evening to say a few words relative to this bill. Of all the legislation that has come through this House, whether it was under closure or under limited debate or whatever you want to call it, this piece of legislation is causing me more stress and problems in my riding than any other piece of legislation because of the people it's affecting most: my seniors, the handicapped, the people living alone. These are the people who are being directly affected by this legislation.

As my colleague the member for Leeds pointed out a few minutes ago, here we have a government that came to power with only 38% of the vote of this province.

Mr Randy R. Hope (Chatham-Kent): But 59.9% of the members, Leo.

Mr Jordan: That's the way the democratic system works and there's no debate about that. The point is that they originally came to this House with about 38% of the vote of the province of Ontario. Their popularity now has gone down to about 16%, and if you took the undecided, I wouldn't want to mention the figure, but it's about 6% or 7%.

Somehow, if you're really thinking of serving the people of Ontario, at some time in your life and at different times you must sit back and not only assess yourself, your accomplishments, but the group that you're trying to provide them through. If I were a member with the government today, I would be sitting back assessing first of all how I was serving my riding, and then, as a group, how are we serving the province of Ontario? I wouldn't hesitate a minute to go to the people and let the people tell the government: "Sorry, this is not the kind of legislation that we elected you for. These are not the promises that you made. This is not part of the Agenda for People that you waved around to muster up 38% of the votes." That was all a big smoke and mirror game, because you knew at the time. Anybody who read it or listened to it knew that the items in that agenda were just not possible and the people of Ontario really didn't expect to get them.

Here we are tonight with this bill before us. I have a letter from the president of the VON in Lanark county to Mr Rae. He's asked me to try and get the Premier to answer this letter. I know the Premier is busy and I know he's not going to answer the letter, so I'd like to put the letter on record. He says:

"Dear Mr Rae:

"Our board of directors is gravely concerned with the funding crisis affecting home care services in Lanark county. At a time when you are preaching a system transformation and a commitment to community-based service, to place the citizens of our community in jeopardy for future services and to add more uncertainty and anxiety on care-providing staff when your proposed long-term-care reform is already unsettling to both groups is

both irresponsible and unwarranted. We are concerned about funding for growth in our community as it is impacting on client care, hospitals and community health care staff.

"If your government truly believes community-based as opposed to facility-based health and social services is the way of the future, then fund this growth and relieve the fear and uncertainty for the citizens of our communities of Lanark and Renfrew county."

That's signed by the president. I am only too pleased to express his concerns here to this House this evening.

I have several letters from individual seniors here affecting these cutbacks and I'll cite some examples:

"Patients with borderline care who are living alone are no longer receiving care."

"An illiterate couple requiring medication had to be dropped from the program."

"There are elderly patients waiting for a nursing home bed. Their physical condition is deteriorating and the family is unable to cope."

"Four nurses have been laid off, leaving only two RN staff to cover Lanark county. In the last month, home visits were reduced by 500."

So you know the people in need are out there. Thank you, Mr Speaker, for the opportunity to bring some of these concerns to the government.

1740

Mr Charles Beer (York-Mackenzie): In the few minutes that are left in this debate, I want to set out why I feel that there is one very tragic flaw in this legislation, a flaw that will have to be changed and a flaw that means that we're not going to be able to support it.

We've been dealing with long-term-care reform for many years and there is certainly, I believe, a very strong sense in the broad Ontario community, by both consumers and those who are providing services to seniors, that we need to have some fundamental change in the way in which those services are provided. I think there is a real consensus out there among all of the provider groups and the consumers that this should occur.

What is most regrettable is that we're not going to be able to allow for what in my view would be much more community-directed service agencies to come forward that would in fact include in a much more positive and specific way the Victorian Order of Nurses, the Red Cross, Saint Elizabeth, Meals on Wheels, home care, all of the different organizations that have been involved in the provision of long-term care.

One of the problems that I think we often have from Queen's Park is that we get an idea, we want to make changes and too often we try then to structure something that is new and different when in fact, if we look at our communities, we can see that there are many services that are existing and that can very ably and very capably provide the outcome that we want to make sure we have in all of our communities.

I think the government is quite within its rights to say: "Look, these are the kinds of long-term-care services we want to make sure that any community in this province

has. Whether it's in the north or the south, the east or west, urban, rural, those services need to be provided." But then I think what we need to be doing is saying to those communities, "All right, how best can you provide them?" What we here in this Legislature need to do is to assure ourselves that in fact those services will be provided.

We saw, during the course of our hearings, a number of examples of where organizations had come together in various communities, and I can think of Hamilton-Wentworth, Windsor-Essex, Oxford, where they were saying, "Look, we can sort out the overlap and the duplication and we can provide the service, but we will continue to maintain the independence and the integrity of our organizations, and we believe that will be a much more effective way to deliver the services that are needed, and we believe that will ensure that the volunteer base," which I think all of us, we've all said it, is critical to this success of providing effective services for seniors, "will be maintained as well."

I really believe that this is not a place where you need to have one model and only one model that is going to be replicated throughout the province. I believe there can be different models that can still ensure that we meet those same goals and that we provide those outcomes and that indeed the service and the long-term-care system would be much the stronger if what we were saying to district health councils was not, "Thou shalt create this model in that particular community," but, "What is the best way to organize in your community, the area that you cover, making use of the organizations that are there?"

We heard from many witnesses before our committee of how different things are in terms of the delivery of services in various parts of the province. Indeed, with the first bill that we dealt with on long-term care two years ago we also heard that, and we listened to how different communities tried to develop the services they required and to bring organizations together to work together and to provide those services. So for me, that is the way we should have gone with this legislation.

There is much that is good and positive in this legislation, but there are several elements that are critical where we believe that it simply will not work effectively, at the community level, to serve the seniors whom it is intended to help.

What we would say to the government is to go back and rethink that model and a number of the other clauses and articles that flow from that, because that model will not be an effective one. It is not truly a community model, it is not an accountable model and it is going to ensure that there will be tremendous stress in the delivery of long-term-care services throughout this province.

We are going to have to continue to deal with this issue because we are going to have to find better ways of effectively delivering services. I think what we need to do is to base that on continuing with those major groups and organizations that are already in our communities and that have provided such excellent service. If we can do that, then I think we'd have a model that truly would deliver the long-term-care services that are needed as we enter the next century.

The Acting Speaker: This completes the time of the official opposition.

Mr David Turnbull (York Mills): I have only a few minutes to add to this debate. I have never had an issue where so many of my constituents have come forward to express their disapproval of the government, and believe me, they've expressed their disapproval on quite a few occasions.

In a general sense, I'm supportive of the thrust of this legislation, that is, that we have enhanced accessibility to health care for disabled and long-term-care requirements. We need to have a coordinated approach, and it is a very good idea that anybody who needs to receive these services should have one-stop shopping in the sense that they have one phone number and they don't have to phone a host of people.

Having said that, we have to look at the problems with this bill. We had some 229 oral presentations and 400 written presentations. Of those presentations which came before the committee, approximately 95% of the people who made presentations were against this 80-20 split, which restricted the amount of services that could be delivered by any outside agency that was not an MSA to only 20% of the total services that were given or were booked through the MSA. Clearly that is an intrusion to many of the volunteer sectors.

The creation of MSAs is just the creation of a huge bureaucratic nightmare, but this is typical of socialists throughout the world. Whenever they approach any given situation that they encounter, their immediate response is to create a large bureaucratic organization. We've seen it in so many of the European countries where they have created absolutely unmanageable bureaucracies, and slowly people are having to come to terms with the fact that you can't pay for it. It does not serve the purpose that the government would have you believe, that in some way services are enhanced. They're not. They usually suffer as a result of this.

This approach to the MSAs is undoubtedly an effort by the government to pay off its union friends, to try and unionize this health care sector. Well, they may be trying it, but I assure you, a Mike Harris government will unwind all of their efforts. Do not have the belief that you're casting something that's going to be around for very long because, friends, it ain't. We're going to get rid of it.

We have seen that all of the volunteer organizations, the Victorian Order of Nurses, the Saint Elizabeth visiting nurses, Meals on Wheels, the Red Cross, to name just a few, have come forward and said: "Don't do this. This will be very injurious to getting volunteers." But the government hasn't listened. This is typical of this government, even though when they were sworn in, the Premier, in his first speech, said, "We will listen, and where we make mistakes, we will admit it and we will correct it." Well, he hasn't kept to what he said in that initial speech.

We have seen from the example of both BC and Quebec that where they have moved to this type of model, you have had indeed a measurable decline in the amount of volunteerism, which translates itself in terms of higher taxes down the line, because when volunteers

are not there and we have all of this unionized labour working for this huge bureaucracy, cost goes up.

I can just simply say that all of the people who spoke to me were against this legislation. We will eliminate it. We know that it's an attack against the private sector. The cost to establish some 20 MSAs in Toronto has been estimated at \$7 million. That's just the cost of setting it up. That isn't \$7 million which will be spent on health care for those people who need the services. That is just setting up this bureaucratic nightmare. Furthermore, it's discrimination against non-unionized people who deliver those services. We're against it and we will continue to fight this government on it, and I would like to fight an election on this issue.

1750

Mr David Tilson (Dufferin-Peel): It's amazing that I have a total of five minutes to debate this very important issue in this House. The health system in this province simply won't work without volunteers. That has been found over and over again and was heard over and over again in the hearings. The fact of the matter is that Bill 173 is going to do away with the volunteers of this province, all for the benefit of the union leaders, and that simply is appalling.

Volunteer-based groups in this province involved in the provision of long-term care are extremely upset with the creation of these MSAs. They view the MSAs as the forced demise of volunteer community groups and they maintain that the loss of volunteers will translate into the loss of dedication to work in government positions, commitment to provide hands-on services, historic values and commitments, donations and fund-raising ability, and that's most important. Who in the world on a volunteer basis is going to raise money for this government? Who could believe it? Finally, of course, consumer choice: As this government so often does in much of its legislation, there will be no choice.

I only have a few minutes left and I'm going to simply read a letter that was written to me by a Victorian Order Nurse in Orangeville, which I think adequately expressed many of the hundreds of letters that we've received. It was a letter that was addressed to the Premier with a copy to the Minister of Health and myself.

"Dear Mr Rae,

"As a member of the health care team in Dufferin county"—the person, incidentally, is Bonnie Holden from Orangeville—"employed as a nurse with the Guelph-Wellington-Dufferin VON and also a president of our local Hospice Dufferin, I have some grave concerns around the implementation of Bill 173.

"Volunteers in both of these organizations play a very important part in delivering many aspects of care and support to those who are living in their own home. Those who volunteer are drawn to and identify strongly with the organizations they represent and the specific needs they address. Volunteerism will fall greatly if these groups lose their identity under the MSAs. Will volunteers want to volunteer for the government? And if so, moneys need to be assured for a strong volunteer coordinator to be in place to provide support, ongoing education and

coordination for those who may choose to continue. These points need to be considered when the structures of the MSAs are finalized.

"Secondly, easy access has been a main thrust of Bill 173. Even more intolerable bureaucracy could possibly occur if the MSA is to envelop all of the community services. Not only will groups lose their identity but services identified specifically by clients in need could be difficult to access directly and only if the coordinator or case manager deems it a need. Hospice Dufferin, for example, offers education to the general public around death and dying and established their credibility over the years—only to lose it" by this bill. "And who would do this important education—presently totally volunteer driven?"

"As a third concern, VON is a non-union branch in this area. Will our jobs be assured? Bill 173 has given precedence to unionized employees. As an employee for VON for 11 years, I know this community and the local resources made and used in community nursing. Is that expertise not more important for the client than a union employee?"

"Lastly, if the true reason we are trying to construct a better system (financial reasons aside for a moment) is the client, then the local community where he lives and seeks his medical care must be able to design and keep the MSA here on a local basis.

"Bill 173 is to be addressed in the next Legislature. Please consider what is truly best for the client and his community in your deliberations. Change is necessary but 'good constructive change.'"

That letter I think adequately expresses many of the concerns that have come in my riding. I think that this government is trying to change but they've changed in the wrong direction and it's going to cause disaster in this province.

Mrs Elizabeth Witmer (Waterloo North): As my colleagues have indicated, there is a great deal of concern within our communities concerning Bill 173. I have certainly received numerous phone calls and letters. Very few people question the objective of the government's long-term-care system. However, the plan for reform that we have before us today is not only questionable but is potentially hazardous to the health of Ontario's long-term-care delivery system.

Indeed, a great many service providers are being left to wonder what will become of their organizations if Bill 173 is passed in its current form. Community agencies in my community such as the Victorian Order of Nurses, the Red Cross homemaking services, our new hospice and the Woolwich Home Support Services have maintained that they will be gobbled up by the MSAs.

If they disappear, my community, our home-health-care system, will lose thousands of dedicated volunteers who donate their time and money to assist these agencies in delivering essential services to individuals in the dignity of their own homes. Although these people have pleaded with this government that you can't have one size fitting all, this government has simply refused to listen. This Minister of Health has been totally inflexible and they

have gone ahead with their blanket approach to the long-term-care situation.

I just want to read at this time a letter from the regional chair of the regional municipality of Waterloo:

"Dear Elizabeth,

"You should be aware...there is a great deal of concern within the community. This includes agencies, local governments and individuals who have all been part of developing a very good delivery system within the regional municipality of Waterloo....

"I do hope that you can appreciate the enormity of the loss which this community will feel once the new model is established and running.

"I know I speak for many people in asking for your assistance in ensuring that the bill is suitably amended so as not to destroy the work of many years in this region and to ensure that we continue to have the best possible services delivered in a cost-effective, community-based approach."

Our chair of the region appeared before this committee and he then talked about the need for continued local flexibility in service management and delivery, the dangers of forcing us to abandon a brokerage model and the inherent difficulties with special-purpose bodies as an administrative structure. In his concluding remarks, he talked about this one simple plea. He says:

"It also goes without saying that if new programs are mandated, expensive new bureaucracies established, salaries and wages driven up and the volunteer and municipal contributions undermined without the province being able to fund the results, the new act will see exactly the opposite of what it was intended to do. It will see the decline of services and the further rationing of existing support. Is the ideological drive for a separate, centralized, controlling agency worth the loss of service and commitment which communities such as ours will experience?"

"My plea to you today is simple. Please amend this legislation so that it does not destroy the hard work, planning, love and commitment that so many people in our community have given to the building of a long-term-care system. There is dismay and anger within our long-term-care community today from those who believe that the government refuses to be flexible and ultimately will drive them from the fields they have chosen to serve. They see themselves and their roles as being altered and destroyed by the direction of the legislation. Please do not allow this to happen. Amend the legislation so that it provides the flexibility for true local planning and delivery."

I believe that these remarks from our regional chair adequately express the concerns of the people that I represent, and it is with regret that I conclude my remarks knowing that the future of long-term care in this province is not headed in a direction which will benefit local communities, local delivery of services and local planning.

1800

Mr Chris Stockwell (Etobicoke West): I'm saddened today to have to join in this debate. I want the members

opposite to know that with the passage of this piece of legislation, they are undermining what we believe in this province or I believe in this province is what makes our neighbourhoods and our communities strong, and that's the volunteer.

Many people volunteer for projects, they volunteer to participate, because it's the best way they can show that they're philanthropic with respect to their communities. They aren't given an opportunity through money, because maybe they don't have it, to show what they want to give back to their communities. They want to give back to their communities because they believe they've, in fact, taken from these communities and they need to show what it is that they want to give back to them. Make no mistake, folks; when you pass this piece of legislation you're doing just that.

These organizations and agencies don't write to government telling them that volunteerism will suffer, and don't consider the letter that they're writing to you. They consider it very carefully. They're very concerned because they know the people who are delivering the Meals on Wheels are putting back into the community things that are needed in the community. They do this because it makes them feel better and provides this province with neighbourhoods and communities that make us strong and make our jobs easier as government. They do things that we would have to otherwise pay to have done and cost taxpayers in this province significant dollars.

What you're doing today is ripping away that opportunity by people to put back into their communities things they've taken out, all in the name of ideology, all in the name of union organizing. These jobs aren't union jobs; they're not even jobs, for heaven's sake. They're volunteer positions, and these volunteer positions are things that keep us ahead of the game, give us an opportunity to see in our neighbourhoods how good people can and will be.

Make no mistake: When you vote for this, you're taking away people's opportunities to provide for others at no cost because it's in the goodness of their hearts that they volunteer. You're saying to them: "You're not necessary; you're not needed. We can hire union organizers and we can hire union people to carry forward on these jobs."

Mr Speaker, make it very clear to these people opposite, when you pass this piece of legislation—some parts are good, I'm not debating that; some of it is good—but make it very clear that you're undermining a community and neighbourhood and you're cutting out the good things in our communities that we have.

I'll tell you something: If this government believes that people will line up and volunteer to work for government, you're crazy. People will not volunteer to work for government.

I heard the member for Oxford heckling about the fact that, "They'll line up and volunteer for government because it's good." No, folks, they volunteer to agencies, they volunteer to support groups, they volunteer for causes and to be people with other volunteers. They will not volunteer to work for government. For heaven's

sakes, 80% of the people in this province can't stand government, let alone volunteer for it.

This thought of yours that somehow they'll come out of their doors and come out of their houses and stand together and say, "What we need to do is volunteer to be workers, government workers," is crazy, absolutely crazy. Be it on your heads, let it be on your heads that when this is passed—

Interjection.

Mr Stockwell: Oh nothing, member for Yorkview, it's on your head that when you pass this legislation those people who won't be served properly and won't be served by volunteers will cost taxpayers money. It will cost us all money to try to serve the community that we used to serve by volunteerism.

Lastly, when you go back to your communities and you deal with these people who are volunteers, you ask them: "Now that we've formed this government association, are you going to volunteer to work for me?" And they're going to say, "Volunteer?"

Mr Gilles Bisson (Cochrane South): Yes.

Mr Stockwell: The member for Cochrane South thinks they're going to—you can't get a volunteer to work for you to get re-elected, for heaven's sake, let alone anything else; but he thinks they're going to volunteer at some MSA.

This is ideology gone mad. This was good stuff to begin with. It was necessary changes in government, changes in legislation. It's gone mad, and it's gone mad because this government has made some serious, serious errors in judgement on the way.

I'll say this to them: When you finally go back to the people this will be but one more example of why the biggest mistake made was on September 6, 1990, and I guarantee you if we get a chance to get back to the people you'll answer for this and I would like to be there, a fly on the wall, because I want to see you answer to those volunteers when they tell you, "We do not accept your government and you're not going back into power and you've made some very callous and silly errors."

Mr Ted Arnott (Wellington): I would concur with my colleague for Etobicoke West. This is indeed ideology gone mad in Bill 173. In the short time that I have remaining to me I would like to bring to the debate some of the concerns that I've heard as the representative for Wellington county.

We have heard a very serious concern about the level and diversity of care and how it may suffer if Bill 173 goes through. Many people in Wellington have written me regarding their concerns that multiservice agencies which the government is creating under Bill 173 will not be able to provide the same level and diversity of care which volunteer and private organizations have been able to provide. So they're very, very concerned that the quality of care will suffer.

A letter from Susan Ledger of RR 1, Fergus, sums up the quality-of-care issue very well. She says: "The clients are the ultimate ones who will suffer. The very specialized care that they currently receive will not be automatically transferred under the administration of a new

system. It is presumptuous of the government to assume that existing organizations will automatically hand over their expertise which they have invested a tremendous number of years and dollars to develop."

Another letter I received: from a VON nurse in Ennotville, actually, Sandra Howatt. I know very well the good work the VON has done in our area. Speaking personally, my mother was stricken with rheumatoid arthritis when I was about four years old. She spent a year in bed at home when I was just a child, and in many ways the VON homemakers and nurses raised me for that year.

Sandra Howatt says: "With VON nursing we have saved your government hundreds of thousands of dollars by supplying excellent home nursing rather than hospital services. We are specialists. We are skilled and we are competent. We must appeal to your government in the interest of the communities we serve to have Bob Rae and his government change the legislation in Bill 173. The communities must have the right to design a community-based health care delivery system to serve the needs in their own area."

Another letter I received from a constituent, Clark McAlpine of Arthur, said: "Under the proposed system, patients may suffer a decreased quality of care since there will no longer be any freedom of choice for consumers. There will be a standardized basket of services in each community, but these services will be constrained by the limited funding the government may choose to provide." Another concern about government takeover of the system.

Another major issue that I've heard concerns expressed on is the loss of volunteer help in our communities, and there's a great deal of concern in this respect that with MSAs people will be reluctant to donate their time and money to a government agency under the MSA system. I received a letter on this that I'd like to quote very briefly from.

Colleen Cudney, life enrichment coordinator for Wellington Terrace in the county of Wellington, which is our municipally owned home for the aged, says: "There is volunteer opposition to this bill. Boards are telling us that they will not be committed to an MSA as service deliverers."

Another letter I received, from Verna Speers of Palmerston, concurred: "Volunteers will no longer be as plentiful as many will not want to devote their time to government-mandated agencies. This will further decrease the quality of care people will receive, as there will be fewer volunteers to augment the services. If this legislation is passed, this province will also lose the benefit of the time and energy that hundreds of thousands of volunteers currently provide to augment and enhance publicly funded, community-based health and social services."

I'm very strongly opposed to the provision in the bill, the 80-20 rule, as we call it, which stipulates that an MSA cannot spend more than 20% of its approved budget on purchasing services from independent service providers. This will limit private sector and not-for-profit sectors who do not wish to be part of the MSA to 20%

of all community-based long-term care. What a bunch of socialist nonsense.

I think the objective of this bill has to be to enhance the level of care to our seniors, and this arbitrary rule, which is just central planning at its worst, which I think around the world we recognize is a negative, we're bringing into the health care system in Ontario.

1810

Again from Colleen Cudney at our home for the aged, Wellington Terrace: She says that we should remove the 20% limit on services purchased outside of the MSA, that communities must be allowed to deliver the best model of service delivery, and that we should lift the ceiling on the four-year implementation time frame.

I heard another concern from our health unit on the issue of how to become an MSA. Our medical officer of health, Dr Doug Kittle, expressed to me his concerns about the procedures set out in Bill 173 for the selection of an MSA for a given geographical area, and I also heard concerns from a number of municipalities in the riding. We have put forward a constructive series of amendments to improve this bill. Of course, the government has rejected our approach and I just want to say in the short period of time to conclude with my remarks, I think that we owe our seniors the very best possible long-term care that we can provide. This bill will not achieve that. At least in the short term and the medium term I think that's clear, and the disruption that will be created and the uncertainty in the next six months is going to be a very negative impact on the delivery of care.

I hope that in six months' time there'll be a new government. I believe that will be the case, and a new government can address some of the mistakes that have been made with respect to this bill, but I really must ask the government one last time to please, please reconsider calling third-reading vote on this bill, and let's see if we can't get together and have a better approach to this issue.

Mrs Margaret Marland (Mississauga South): In rising to speak briefly in this debate because we have had our voices closed down by the government moving the final debate under time consideration, to try to get up in five minutes and speak to a bill on which closure has already been moved, I must admit is one of the most frustrating experiences that those of us who wish to stand and speak on behalf of our constituents can experience. In fact in the nine and a half years that I have stood in this House and spoken on many issues on behalf of my constituents, I don't think there has been a bill that I have felt as strongly about as this bill. I am totally opposed, and so are my constituents, to Bill 173.

I do, however, wish to commend the work of Jim Wilson, my colleague and the member for Simcoe West. He has struggled with this bill since it was first tabled. He has tried to amend the bill to make it work. He has tried to place amendments in response to all the deputations who came forward and made comments on this bill, but unfortunately the government members on the committee, of course, would not accept any of his amendments.

I think it's important that we call this bill what it is. It is not one-stop shopping. It is one-stop unionization and it's a sad time when the socialist Bob Rae government implants its ideology with such far-reaching fingers and tentacles as Bill 173 represents. The fact that it will destroy volunteers is not debatable; every one of my colleagues has talked about that aspect. The other fact, whether or not the government members choose to understand this, or whether or not the government members are able to understand this, is that no government in this province, in fact in any province in this country, can afford to pay for the work that is currently done by volunteers.

In fact in Ontario according to the Statistics Canada report, if we were to pay the minimum wage for the work that volunteers are doing in Ontario today, volunteerism itself would be the largest single industry in Ontario, larger than automobile manufacturing, larger than any other manufacturing sector, mining, forestry and so forth, just larger than any other single industry, and that's what you are about to destroy with the passage of this bill.

And while I'm thanking the people who have conveyed their concerns to us from all their different perspectives, I think too that I would like to commend the people who have sat in this House now for almost close to five hours to endure what I'm sure for them must be a very difficult debate, but I am glad they are here, because they are here seeing first hand what a socialist ideology that is committed to unionization is all about in this province.

I hope and pray that the people and the organizations that all the people in our public galleries represent today will be there to ensure that socialism is rid from this province once and for all at the time of the next election.

Finally, since the time limitation is so difficult for us, I want to read a brief quote from the United Way of Peel, lest my dear colleagues across the floor of the House would think that my comments are partisan in being critical of Bill 173. I would simply remind them that the United Way of Peel has said:

"Fourteen of the 45 United Way of Peel member agencies, and their clients, will be impacted by proposed changes to the long-term-care service system.

"The objectives of the legislation as described in Bill 173 are not new ones. Community-based, consumer-focused, accountable, accessible services currently exist in the community agencies providing long-term care services.

"The draft legislation assumes that the multiservice agency...is the only answer to improving long-term care service delivery. United Way challenges this assumption and has requested the Minister of Health to provide any research or data which supports integrated service delivery in any sector as a proven method of improving service for customers."

In fairness to my colleagues, that is all the time that I can give to this debate today, which I regret tremendously. But I simply agree with the comments that everyone else has made, and goodbye, New Democratic members.

Mr Bill Murdoch (Grey-Owen Sound): In the minute that I have, I would just like to say I agree

wholeheartedly with what my colleagues have said here today. This is just another poor bill that's been put forward by the socialist government. It's another plank that'll come up in their defeat. There's no doubt that you people have no idea what's going on in this province. You have given the people of this province no leadership, and it's very unfortunate that you would bring through a bill like this and destroy the systems that have been built up in this great province of ours.

Again you put closure on this bill. There's no need for that, and 20 closures in the regime are just unforgivable. As Margaret says, goodbye.

Mr Jackson: I suspect that this is about the ninth or 10th speech that I've had the privilege of presenting in the brief time that I have, but it's the ninth time that I've responded to long-term-care concerns. It's unfortunate that there is a disturbing trend in the direction and the tenor of the legislation that we faced in the last four or some years with this government.

Bill 120 allegedly helped fix the institutional end of long-term care, but was financed on the backs of bed closures in hospitals and chronic care hospitals across Ontario.

We now are faced with Bill 173, the bill which professes to provide a whole series of community-based services when, if you peel back the publicity around this bill, if you penetrate past the legislation into the regulations, which none of us have seen, you will discover some very insidious aspects to this bill.

In the brief time I have, I want to summarize some of the points that I've been stressing, not only in this House but as I toured this province in all the public hearings on both Bill 120 and Bill 173 over the course of the last four years.

The first issue is that the brokerage model, the changing to the 80-20 formula, was thrown out for discussion as late as June this year. For years, even this government was parroting a model for Ontario that worked with existing delivery service agencies in this province to take all the very best of what we have built as our culture of response to senior services and build and broker those services in a cooperative way, in a more efficient way, to get more service directly to seniors because we can provide it more economically. Then all of a sudden, at the eleventh hour, we're thrown this motion that this has to be a government agency.

1820

The second issue, and it hasn't come up much in this debate, is that this bill delists home support services from the OHIP formula under the Canada Health Act as it's applied in this province, just as Bill 120 delisted the right of a citizen of this province to have access to a nursing home bed or a long-term-care facility bed. I want to remind the members opposite, the accusation you will make in the next election, as you did in all previous elections, was about, "Don't delist service under the Canada Health Act," and your government has done two of them in your term. Several others you've done, but as it relates to seniors, those two have been delisted, I remind the members.

Deprofessionalization, the language in this bill in terms of how we do assessments, how we do seniors with multiple concerns and needs and how we do those assessments and who's qualified to do those: This bill really has failed the professional infrastructure we now have, and it's violated even further. I mean, we wouldn't do this in our schools, in our classrooms for our children, where we would put a shop teacher in a class to teach French, so why are we getting unqualified people in to help senior citizens? Because we've left the door open in this private deal with Sid Ryan and the unions, "Look, we'll buy some peace with you, but these are the implications when you start saying that people are going to be hired based on a magic formula and a commitment that's been made to a union, and not to the best needs of the client, the persons who need the service: our seniors."

There is the whole issue of the volunteer base and we have been discussing this. I want to remind the members opposite, \$37 million of service, human resources, the touching, the support services, the reaching out of human services that are provided by volunteers, and Sid Ryan said, when I cross-examined him, "We would relegate the volunteers to basically recreational programs." So even Meals on Wheels has to be a unionized job in this province. We can't afford millions of dollars for that. We just can't afford it.

There's no cost analysis for this legislation. We've been bugging the government to give us some number, but the only number we get out of this government is this phantom number of millions of dollars that it's going to pledge in the budget with which Bob Rae is desperately going to try and campaign in the spring in this province. That's the number we've been given, what they hope to spend.

But the number you should have given us is, how much money are you wasting with this legislation? How many more seniors could we provide services to if we costed it out properly, planned it out properly? But you don't want to determine that, and even Price Waterhouse has removed its support for its own analysis.

We have removed front-line caregivers as the natural advocates for our seniors. Once you make these people civil servants, who do seniors appeal to? Right now we have an implied appellant mechanism: The service providers, whether they be the Red Cross or VON, take the client or the seniors' needs and they go and fight for them. We in this House on occasion have had to fight and advocate for moving that service or shifting that service or shifting dollars. We do it successfully, but not under this new regimen.

I remember the minister explaining that what they liked about her bill so much was the fact that it gave more choices to seniors. It's taking away choices for seniors. When I asked the minister, "Give me one example of a choice you've given to seniors," her answer spoke volumes and summed up what this bill is all about. This is a record for Hansard: The minister said, "The senior citizens have the right to say no, they don't want the service."

That is it in a nutshell, ladies and gentlemen. That is the new-found right in Ontario for our seniors, and no

appellant mechanism; there's been the union deal. This is a cost-containment, not a service-enhancement model, and the government knows it.

We owe our seniors, who built this province, on a pay-as-you-go basis. That is their legacy, and now, when they are frail and elderly and they need our support, we have a government that says, "Pay, or else you go." That is the legacy of this bill.

The Acting Speaker: This completes the time for the opposition. The parliamentary assistant and member for Simcoe Centre has five minutes in summing up.

Mr Paul Wessinger (Simcoe Centre): I've listened to a lot of myths and a lot of rhetoric today. I think we really ought to deal with the realities of this situation. What is pushing this legislation is the necessity to have a more effective delivery system of long-term care in the community. We believe the MSA model we have created will be the way to ensure that we deliver those services effectively to consumers.

I think it should be stated clearly that the purpose is to preserve the community non-profit method of delivering community health care in this province, because there is a competing model out there, a competing model which many members of the opposition would like to push, and that is the market system, the system where you purchase services. We believe in not a market system of delivering health care; we believe in a community-based, community-controlled system of delivering health care. That's the basis of this legislation.

We want to preserve the non-profit sector; we don't want to destroy it. We want to build on it. The way we want to ensure that it does continue is that the non-profit system is the most effective way we can deliver the services. We believe the MSA is the most efficient, the most effective way of delivering those services.

Why do we think it is more effective? We think it's more effective because, first of all, it's going to be community-based. It's going to be governed by members of the community, not by a government bureaucracy as the opposition would have you believe but by members of the community. It's going to be governed by consumers. One third of the people sitting on the boards are going to be consumers, the people who actually receive the services. That's going to mean that it's going to be responsive to the needs of the consumer. It's going to have the expertise, with people having experience in the health services field and in the social services field. It's a move towards getting a better delivery system.

Let's just deal with some of the other myths that we've heard. As you can see, it's going to be accountable to the community. First of all, I've heard comments that we're going to have too much inflexibility with respect to budgets. Yes, we have to live today with envelope funding. But the board's going to determine the spending in accordance with that funding envelope and also to ensure that they meet the basic services. But they'll determine their budget just like a hospital determines its budget.

With respect to the question of volunteers, it's not an easy answer to say, "Well, because an organization

changed, you're going to lose volunteers." People volunteer for many reasons. They volunteer because they want us to provide the service; they volunteer because they're appreciated; they volunteer because the organization they work with gives them good training. That's what we've done in this bill. We've put in amendments which will ensure that volunteers will play a role in governance, will play a role in planning the process.

That's the other thing. We're doing the planning for this long-term-care system through our district health councils. Volunteers are involved; service providers are involved. We have a four-year phase-in. This is going to develop the best system for each community and the most effective system.

With respect to the whole question of unionization, that's really a red herring. There are only two home-makers in all of this province that are unionized, in Windsor and Brant, so it's not really an issue. It's completely a red herring.

With respect to the nursing services and personal care services, they're obviously essential health services and will be protected for continuation.

With respect to some of the other indications, cost of the system, we want to ensure that the money is spent more effectively in service delivery, not in administration.

With respect to some of the other comments, protection

of workers, we have put in the provision that's going to ensure workers' jobs will be protected. Actually, the real protection for workers' jobs, besides recognizing seniority, is the fact that we're spending more money in the long-term-care delivery system. We've increased spending by 54% and we will increase to \$1 billion this current year. There's still approximately another \$250 million in spending to come in community long-term care.

I'd like to conclude by first of all thanking the Chair of the committee, who did his usual good job of chairing the hearings and going through clause-by-clause; members of the committee for some of their contributions which assisted in improving the legislation; and I would particularly like to thank the Ministry of Health people. I can't name them all, but the people I'd like to mention particularly are Gail Czukar, Geoff Quirt, Patrick Laverty, Louise Hurst and many, many others who have made this legislation better and made a great contribution.

The Acting Speaker: This completes the time allotted for third reading of Bill 173, An Act respecting Long-Term Care.

This item will be voted on, by previous agreement, as the first item pursuant to the normal routine proceedings tomorrow, December 7.

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Erson
N
-D23
No. 167B



Government
Publicat
N° 167B

ISSN 1180-2987

**Legislative Assembly
of Ontario**

Third Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Troisième session, 35^e législature

**Official Report
of Debates
(Hansard)**

Tuesday 6 December 1994

**Journal
des débats
(Hansard)**

Mardi 6 décembre 1994

Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
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Greffier
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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 6 December 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 6 décembre 1994

Report continued from volume A.

1830

CROWN FOREST SUSTAINABILITY ACT, 1994

LOI DE 1994 SUR LA DURABILITÉ DES FORÊTS DE LA COURONNE

Mr Hampton moved third reading of the following bill:

Bill 171, An Act to revise the Crown Timber Act to provide for the sustainability of Crown Forests in Ontario / Projet de loi 171, Loi révisant la Loi sur le bois de la Couronne en vue de prévoir la durabilité des forêts de la Couronne en Ontario.

The Acting Speaker (Mr Noble Villeneuve): Does the honourable minister have some opening remarks?

Hon Howard Hampton (Minister of Natural Resources): I speak in support of Bill 171, the Crown Forest Sustainability Act. Our forests play a vital role in our lives in Ontario. Ontarians produce industrial products worth about \$12 billion annually in the province. Our forests are crucial to the health of our environment. They provide wildlife habitat, maintain biodiversity, sustain soil and water and help purify the air. We rely on our forests for jobs, for recreation and for spiritual and physical health. We urgently need to ensure that we can continue to conserve, protect and manage Ontario's forests so they will be sustained over the longer term.

The existing 1952 Crown Timber Act is out of date. It no longer provides us with the tools we need to meet the challenges of forest sustainability into the 21st century. We need an act that will allow us to make further progress in improving forest management and forest conservation. We need an act that will ensure that our forests are regenerated and we need an act that will ensure that we have truly sustainable forest management in the province. That is why this act, the Crown Forest Sustainability Act, is so important.

What is new in this act? The act includes a definition of sustainability right up front. Environmentalists, including the Federation of Ontario Naturalists, representatives of the forest industry, in particular the Ontario Lumber Manufacturers' Association, and members of the public told us a definition of sustainability is important and they helped us draft that definition. We listened to them and we made the changes to improve the act.

My colleague and my parliamentary assistant, the member for Cochrane North, will talk further in a few moments about the important role that consultation has played in the shaping of the new Crown Forest Sustainability Act. I want to deal with some of the details.

The act ensures that there is a comprehensive planning process that addresses a wide range of forest values, not just timber. The process will be mandatory and will bind all users of the forest, including the crown, to a high

standard of forest management practice. The act ensures reliable funding for forest renewal, something we have never had before in this province.

The act puts more of the responsibility for forest renewal on the forest companies themselves. This will give those companies a strong incentive to practise forest renewal as efficiently as possible. At the same time, the act provides assurance to forest industries about tenure and about their capacity to use the forest.

The new act has a strong focus on accountability. There will be mandatory prescriptions for forest operations. Those prescriptions will be used as the yardstick for conducting future forest audits. Through the new act, we will strengthen reporting on the state of the forest. We will provide for ongoing, independent public audits of the forest. These improvements will allow us to prove to the world that we have renewed our forests.

Finally, the new act provides us with a new, flexible and effective system of enforcement when companies do not meet the act's requirements for forest renewal and forest conservation.

The need for this legislation is clear and it is great. This act is the cornerstone of the province's overall strategy for forest sustainability, natural heritage protection and economic development.

Many people have worked very hard to bring this act forward. Before I finish, I would like to take an opportunity to thank them publicly for their very hard work.

First, a number of the members of the core team who worked on the act are in the visitors' gallery today, and I'd like to thank them. In fact, I'd ask them to stand. Mr Ken Cleary, an excellent team leader.

Mr Gilles Bisson (Cochrane South): He's not here.

Hon Mr Hampton: He didn't make it here yet. Stuart Davidson, for his legal advice in drafting the legislation; David Balsillie, the ADM for policy and program at MNR; Mr Brian Blomme, for his communications advice; Mr David Gordon, for his work on cabinet submissions and his advice on forest matters in developing the act; Dave McGowan, for his work on legislation and drafting regulations; Frank Kennedy, for his advice on the class timber environmental assessment and his hard work with environmental groups; Anne Harris, for her policy support to the team developing the legislation; and, finally, a couple of people who haven't made it here yet: Clarke Kirkland, who was seconded from the Hearst office of the Ministry of Natural Resources; Patricia Harris; the deputy, Mr Bob Mitton, and a host of other folks. I want to thank them all for all the hard work they did.

Finally, I want to say that I think the province will be well served by this legislation. It gives us the tools we

need to enter the 21st century.

The Acting Speaker (Ms Margaret H. Harrington): Thank you to the Minister of Natural Resources. Is there further debate on Bill 171?

Mr Michael A. Brown (Algoma-Manitoulin): I have listened on numerous occasions to the speech that the minister has just given now. It's the same speech the minister gave on second reading, it's the same speech the government used when they invoked closure and it's the same speech on third reading. I think if you listened to this, Madam Speaker, you would note a surplus of platitudes, a surplus of politically correct vocabulary, a surplus of rhetoric, having not much to do with the reality of Bill 171.

The reality of Bill 171 was the reality of going out on public hearings for three weeks in this province, going into northeastern Ontario, into northwestern Ontario, to large communities and to small communities, coming to Toronto to hear major interest groups, the major players from industry, the major players from environmental groups, the major groups that try to understand what goes on in Ontario's forests.

Now the minister claims that this bill is sustainability, and it seems to me sustainability involves a number of factors. First, there are the environmental concerns, the concern that our forest in Ontario is regenerated in a way that is consistent with renewable resource use in this province. In other words, it is good for the environment. This Bill 171 has much to say about that, but you can discern little of value from what it says.

The government, as you know, had 55 different study groups looking at issues in the forest at one point. One of the most important of those was the Diversity report. The Diversity report provided us with a definition of sustainability. The government spent a lot of money and a couple of years developing that report. The government spent a lot of money and time, a lot of people had valuable input into that report, and they've produced a definition of sustainability.

1840

We in the Liberal Party thought the government should adopt that definition of sustainability. After all, it had been approved by the cabinet of this province. The government, however, could not see fit to follow that. They could not, would not, put that definition in the purpose of the bill. Strike one. The government doesn't know what sustainability is. Its own definition, which the cabinet of Ontario had approved, was not put in the legislation.

There is not one environmental group in the province of Ontario that believes the government has a satisfactory definition of sustainability or that sustainability is actually achieved. We heard that in Fort Frances, we heard that in Kapuskasing, we heard that in Espanola, we heard that in Sault Ste Marie, we heard that in Toronto. There is not one group in the environmental community that believes this bill accomplishes what Milord Mr Hampton, the Minister of Natural Resources, believes is in this bill. There is not one group.

Who does it please? Does it please industry? I think

you have to recognize the importance of the forest industry to Ontario. In Ontario, the forest industry employs about 60,000 people. The forest industry produces a surplus of over \$2 billion in foreign trade, and I suspect last year it was far greater than that. It is an important player in the economies of all Ontario, but certainly in the economy of places I represent, places like Espanola, places that the parliamentary assistant represents, places like Kapuskasing and Hearst.

What did we hear from the communities of Kapuskasing and Espanola, for example? They oppose this legislation. They don't like it. What did we hear from the major companies, E. B. Eddy in Espanola, Spruce Falls in Kapuskasing, the parliamentary assistant's own riding? They oppose this legislation.

Mr Len Wood (Cochrane North): They asked for some amendments.

Mr Brown: The parliamentary assistant says they asked for some amendments. He didn't give it to them.

They are opposed, both the town of Kapuskasing and the town of Espanola. Virtually every community involved in forest products that has people earning their living in it opposes this legislation. But it's okay, because the government says it's sustainability. As long as you say "sustainability" enough times, it'll happen. This bill is political spin. There is no substance to it.

This bill provides the most huge powers to the Minister of Natural Resources that could be imagined. The powers are so great that over 1,000 pages are produced in order that we can go through them. They are the regulations and the manuals and they're changing daily. The government has no idea what they mean about sustainability and they know that. This bill is a cynical act of an arrogant government that cannot define its own legislation.

Interjections.

The Acting Speaker: Order. We will have one debate at a time. The member for Algoma-Manitoulin has the floor.

Mr Brown: This bill was approached in a very responsible way by the two opposition parties. Both of us supported going to committee, because we knew there were important changes that needed to be made to the Crown Timber Act. The Crown Timber Act has been around since the early 1950s. It had not been significantly amended in some years and it needed to have some changes. But in this milieu, in this present circumstance, with the 55 studies and one of the most important events as far as forestry is concerned, the timber environmental assessment had just reported in the spring of this year. It had provided us with terms and conditions that governed the way companies had to do business in the forests of Ontario.

So there was a huge amount of information. At the same time the Canadian Standards Association was developing the standards so that we could ensure to the world that our forestry practices were indeed sustainable, and that is to happen within the next nine or 10 months, and the Minister of Natural Resources sitting here is one of the participants in coming up with those standards.

We in the opposition have been puzzled. Why do we have to be ramming this particular piece of legislation through? One of the government's arguments is that we needed the trust funds; we needed those trust funds to be set up and this bill does that. They don't seem to recognize that they passed a bill to set up those trust funds last June. The opposition parties agreed with it, it passed this House expeditiously. Trust funds are an irrelevancy in this bill. They're there, they have been there, they were an amendment to the Crown Timber Act some time ago.

So what is it we're talking about? There are some major issues after we talk about the sustainability issue, which the government can't define, doesn't know what it means, tells us to look at the manuals, tells us to look at the regulations. What is there that might be contentious? I'll tell you. Tenure is contentious. This may be a commercial aspect of the bill but very important. It means that communities either survive or communities die. It means that companies, because they have a wood supply, continue or it means they don't continue. Tenure is a battleground out there among industry and I'm sure that the minister and the parliamentary assistant would agree with me that that is one of the most important issues facing us from the commercial aspect of this bill.

There's no consensus around this. I had the lumbermen come in to talk to me. We had the lumbermen talk. A large number of the lumbermen are in favour of the loosening of tenure provided by this bill. Some of them don't like the way that tenure is described in this bill, but I think to be fair, by and large, lumbermen see this bill as an improvement. Those are the people that are involved in providing Ontario with sawlogs and the lumber from those.

The people in the pulp and paper industry take totally the opposite view. They have been very opposed to the way this bill approaches the tenure issue. To the last day of this committee they were opposed to the way the government has approached this. So as a legislator I'm to say: "Who's right in this issue? How does this work?" We asked the government to come with some standards for transparency, for making the public aware of what was going on so at least if they didn't like the decision they could understand how the decision was made. The government refused to address that. The government refused to consider even on the last day an amendment to section 23 that we'd proposed that would have made tenure clearer.

Tenure is not just a commercial issue because we've also found out during the hearings, as we went from town to town, city to city, village to village, that tenure also had a direct impact on how well the forest was managed and on how well the people in those communities made sure that there was regeneration. There was a direct correlation between the better tenure and the better forest, demonstrated particularly by Abitibi-Price, which operates a huge area of private land which most would say is a model of how it should be done. When it's their own land, which is the best tenure, the forest on that area was regenerated in a cost-effective way and in a way that produced the most fibre for future generations and the

best ecosystem. There was no doubt about that. So tenure is not simply a commercial consideration.

The third question that was very contentious at committee was licensing. Licensing is also a major problem. We had the small, independent operators in front of us, and do you know what they told us? These are the small people, the little guys in the small towns and villages across northern Ontario and indeed into some parts of central and eastern Ontario. They said, "This bill is going to put us out of work." The government says: "No, no, no, that's not the case. You can form co-ops."

1850

One logger said to me, and I'm sure this is very, very true, that if you get 20 independent loggers in a room, you don't get a co-op—this is an exact quote—you get a fight. I think if the minister reflects on some of his constituents involved and I reflect on some of mine, I'm sure that this particular comment is exactly true. I'm positive that's exactly true.

The issue of how we operate on the crown lands that are not subject to forest management agreements: We have asked over and over again how this is going to work. The government is going to collect an additional \$6 in stumpage from the people operating on these units, and in the case of the forest management agreements, that goes into a trust fund. Guess what? In the case of the crown units, the crown's going to manage it; the crown's going to look after the regeneration. That's what we're told. And guess what? The crown does not have a particularly stellar impact on reforestation in Ontario. As a matter of fact, they've done rather poorly.

Across my desk just recently, I think in the last week, came some paper from the northwest logging association. I've spoken with these ladies and gentlemen from this group on many occasions. I don't seem to be able to see it here in my pile of information, but as I went through that, they had a meeting with the district manager and the district forester, always a very interesting meeting if you're in the forestry business.

They asked questions like, "What reforestation will I have to do?" The answer from the district forester was, "We don't know yet." "Where will we get our seedlings? Where will we get our young trees?" The answer was, "We don't know yet." "Who's going to decide what kind of trees go on any particular land?" The answer from the district forester was, "We don't know yet."

In other words, the government is pushing through, through the mechanism of closure, a bill that the government has few if any concrete answers to. That might be fair because Mr Hampton, Milord Hampton, thinks he's a fine guy and he'll make all the responsible decisions, and there might even be some people who agree with that premise. But guess what? This bill will probably be binding on ministers for the next 30 or 40 years, and Mr Hampton, no matter what his electoral success may or may not be, will not be the minister for 30 or 40 years.

This revision of the Crown Timber Act presents Mr Hampton with the widest-ranging powers of any minister of the crown. We're talking about 80% or 90% of the crown land of Ontario. So we are trusting a minister of

the crown without the benefit of any kind of legislative review. A minister of the crown, without any legislative review, can make regulations, he can change any manual, he can come up with guidelines which may or may not be consistent from one district to the next. You can have things happening in Renfrew North that are certainly not happening in Algoma-Manitoulin and maybe not happening in Kenora, and people will talk about whether that's the correct approach to reforestation or the incorrect approach, and we won't know.

Any minister, whether it is Mr Hampton, Mr Wood, the member for Cochrane North, Mr Mills, any of us; some member from the opposition may even in the future become a Minister of Natural Resources and that member, whoever he is, will be vested with a kind of consent that in my legislative experience has never been given to one particular minister. This is over a huge industry, a many-billions-of-dollars industry. It is over 60,000 jobs and growing in the province of Ontario, or hopefully growing. That is the kind of—

Hon Mr Hampton: Oh, it is growing, Mike; it is growing.

Mr Brown: The minister says it's growing. He doesn't talk about the number of jobs that have been lost in the forestry industry. He is now pinning his hopes, and we are as hopeful as he is, to the OSB plants, the oriented strandboard plants, which we think have great potential and will be of great assistance to many communities. Those plants use fibre from timber that some people even called weeds, birch and poplar and what not, that are valuable to that particular industry. But the fact is that we have so much poplar and birch because we have not done the kind of regeneration that needed to be done. So it is, I think, encouraging to Ontarians to know that there will be some activity related to those species that were formerly underutilized.

But what is of concern to communities is one of the concerns that I have raised time and time again. The concern that I have raised with the minister and the committee in particular is that there seems to be absolutely no thought being given to what kind of regeneration we need in this province. Are we talking about just making sure poplar and birch grow where we cut down poplar or birch? It seems to me that's what the government's saying. It seems to me that if there's a conifer species, whether it's jack pine or whatever, black spruce, that's what the minister wants regenerated. In other words, he is holding Ontario's forests static, which is not the natural state. They are always changing in their makeup. The minister is saying, "You must regenerate exactly what is there this minute and you cannot progress," in terms of what Ontario needs or what the natural environment would by itself produce. That is a serious concern. We have raised that issue.

The minister looks puzzled. Look at him over there, shaking his head, looking very, very concerned that I'm saying the wrong thing. But I want to tell the House that the minister's involvement with this bill was a cameo appearance in his own home town of Fort Frances. We appreciated that brief interlude in our deliberations, but we wondered where the minister was through all this. I

am sure he was doing important things and maybe at some time he'll report to the committee on what he was actually doing. But he certainly wasn't paying a great deal of attention to what was going on and what the presentations of his constituents were in Fort Frances towards this bill and what people in the northwest were saying at the very same time.

The opposition came to this bill knowing that we needed a new approach to forests in Ontario. The opposition came to this bill willing to work with the government to produce a bill that was good for the people of Ontario. The opposition worked very hard through this committee's hearings to incorporate what we learned from the terms and conditions of the environmental assessment, to incorporate the new fiscal realities of the province of Ontario, what the ministry can and cannot do with its limited resources, and what the world markets are saying with the industry, with environmentalists. At the end of the day, we came out of committee, under closure, with a bill that is premature, at least one year ahead of where it should be in terms of timing because there is much yet to learn, a bill that is opposed by both the environmental community and by the business community and by communities that are directly affected.

It is therefore, in the opposition's view, totally irresponsible for the government to be bringing this today on third reading, and I want to indicate that, on behalf of my colleagues in the Liberal Party, this bill will be opposed and continue to be opposed with everything we can do.

Madam Speaker, thank you for honouring me with this time for an intervention.

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The Acting Speaker: I thank the member for his participation in this debate. Further debate?

Mr Chris Hodgson (Victoria-Haliburton): It's a pleasure to represent the PC Party, as their Natural Resources critic, to address third reading of Bill 171. I'd like to begin by just thanking, as the minister did, the MNR senior staff levels for the patience and the time they showed to me and to other committee members while we were on tour.

I'd also like to thank the Hansard staff and the Queen's Park committee chairpeople for making our tour and the public hearings go as smoothly as possible. I also want to make a sincere thank you to the people who took the time out of their busy schedules to come before our committee and tell us, members of the Legislature, what they felt were the strengths and the weaknesses of this sustainable forestry act, Bill 171.

I'd like to put on the record that the opposition parties agreed with the objectives of this new act, forest sustainability. In fact, when the objectives were read out on second reading we agreed to just one hour of debate. Over the summertime, we agreed on shortened committee hearings. We agreed in sustainability for jobs for the future, for future people who work in the wood industry or work in the forestry industry or work in the multi-use of our crown forests, the trappers and anglers and hunters and the naturalists who just want to enjoy this great resource that we share in the province of Ontario. We

also shared in the objectives of securing markets for our wood products overseas and with our neighbour, the United States. We also shared in the objective to have a secure investment climate for growth in our forest industries.

But what's happened with this bill is very unfortunate. We had a consensus in this province that we needed to update the Crown Timber Act of 1952, and it's very seldom that the Minister of Natural Resources actually gets the legislative agenda to bring forward revisions to a section of this province that has been neglected for almost a generation but is a great source of wealth and quality of life to many Ontarians.

What is so disappointing is that this bill had so much potential to improve the way that we manage the crown forests and the crown forest lands as an ecosystem, not just as a place where we grow timber, but a place all Ontarians can enjoy. I think there was a closer consensus between environmental groups, the industry and anglers and hunters than what this bill actually reflects. In fact, this bill, as has been mentioned previously, has pleased no one, and that's not a sign that, because it's a compromise, that no one's happy and therefore it's good. It's a sign that there wasn't enough time taken to truly set some provincial objectives.

There's no benchmarks on what to measure, on how to measure the success of this bill. The concept of sustainable yield that has been in Ontario legislation since 1929 has been taken out. Instead, we're left with enabling legislation which is vague at best, gives a lot of ministerial discretion, and at its worst is hypocritical to the title of the bill.

What this bill incorporates are the over 20 recommendations from the timber environmental assessment. That had to be done. That could have been incorporated in the old Crown Timber Act. It also incorporates trust funds, and this party's been on record in the past in calling for trust funds. I think it's a positive step that this government has actually set them up. But let's be clear: The trust funds were set up under Bill 160, not under Bill 171. At the time the committee hearings opened in August, I asked if they had a trustee for these trust accounts and I was told that they were just beginning the advertising process. Trust accounts, for those who don't understand, are taken from the stumpage fees and from the area charges that come from the industry on certain areas of the crown forest and they go into a trust account to replenish that forest so future generations will have trees to enjoy and also the wood industry will have trees to provide jobs in that sector.

But overall, even with the setup of citizens' committees and local input, what's lacking in this bill are any benchmarks to judge its success, to hold the ministry accountable to the people of Ontario to say, "We're doing a good job in the stewardship and management of your crown lands and your resources."

There is no concept of a provincial objective on what area we want to secure the jobs in. Where is Ontario's natural advantage in the forest sector? Is it in the hardwoods or is it in the fast-growing aspens and poplars or conifers? If you think that we can compete with climates

that are warmer than ours, that have a growth cycle of maybe 15 to 20 years, I think we're deluding ourselves if we're going to secure an industry that's there.

But the greatest weakness of this bill is tied in to the security that we were looking for, that the industry is looking for and that the environmentalists are looking for: that all products that come out of Ontario's crown forests are from sustainable forests. That's going to be a hard enough sell. Not only do international markets have trouble distinguishing between products that come from Ontario, BC and other places in Canada, but within Ontario we have wood products come off private lands as well as crown lands. I'm afraid that what we're seeing in this bill is just more spin. There are no benchmarks to judge it by. The only people we're kidding are ourselves. If this bill doesn't match the rhetoric, we'll lose credibility for our forest industry and that will make it so the investment climate isn't there. If we lose our markets, it will mean that the jobs won't be there in the future.

What we're really got is the government's attempt to spin out for an election year how they're sustaining our forests. No one is in objection to sustaining forests. What we're in objection to is a bill that really just holds the status quo; in fact, in some regards, takes us back to having more ministerial discretion than actual benchmarks which people can say, "Yes, the government is doing a good job," or "The government is not doing a good job in administering our crown forests."

This bill—and we heard this from people who came before us, from the industry, from the environmentalists, from Lakehead University—doesn't set the provincial standards, it doesn't lay out what we need in this province as a process to get to a land use that's accountable. Even the scaling audit manuals that are referred to, there are 1,000 pages of manuals that specify how local committees can set their priorities for their local region. I agree with that, but there should still be some provincial standard on top of that; some way that we can hold the crown accountable, the government accountable to the people of Ontario who own this land.

What we're seeing, as a result, is a government that should be proud of the fact that they were trying to improve our forests. Instead what they've done is invoke closure—four times in the last two weeks, 20 times since 1991. Just to put that in context, in 43 years the Conservative government only invoked time allocation or closure four times. This government tied that record in eight days. They didn't want to have the public, through this institution, through this debate, see the effects of its policy upon the people of Ontario and hear what their concerns are.

In the last eight days, this government has invoked closure on Bill 163, a fundamental reform on how the Planning Act works and the rules and regulations that municipal politicians are under. The changes to long-term care reform are the most serious that we've seen in a generation. Here's a government that's locked into the ideology that the government can deliver this service the best. The VON, the Red Cross—

The Acting Speaker: We would like you to address your comments to Bill 171.

Mr Hodgson: This is all connected to Bill 171, Madam Speaker. I'm trying to point out that the people who run this government, the socialist engineers, have a plan to change the nature of how this province works. Their vision is clear but their souls are tormented. They don't want to have this exposed to the light of day through public debate in this Legislature. It's sort of like the movie *Apocalypse Now*; they have to hide in the bunker because they don't want to see the effects their policies are having on the people of Ontario, in communities such as Wilberforce, Harcourt and West Guilford.

People come up to me and they say, "How will this bill affect us?" You can't tell them. This has never been debated. There are no policies put forward by the MNR yet. This is enabling legislation with no provincial standards. In fact, what we've moved into is truly the land of spin. The minister today confirmed that his government's going to spend an additional \$500,000 on advertising. At the same time, they don't have the resources to send conservation officers outside of their offices because they don't have the money in their gas allowance. Where are their priorities?

1910

This government's going to talk about how it's sustained its forests. It'll make a nice TV clip for 30 seconds; it'll be good on a brochure. But it destroys Ontario's credibility to show international markets that we are doing things in an ecologically friendly manner and a sustainable manner and that will ensure future jobs and future investment. Just two weeks ago we witnessed the Premier going about the province making announcements about \$1 billion in new investment coming into Ontario, as if this bill had something to do with it, whereas common sense would tell you that the reason you're having an extra \$1 billion is that the investment community, the business community realizes that there's going to be an election in six months, that the Conservatives will form the government and that this will be a better place to invest in jobs.

But basically, my number one complaint is that we asked for a cost-benefit analysis of this bill. A simple question was asked: "What impact will this bill have on the Ministry of Natural Resources staff?" I was told that it would take too much time to have a detailed response, yet in the estimates delivered by this government, under resource management and protection, it states here that the cabinet has received a cost-benefit analysis on this forest sustainability act, but it has not made it public to the Ontario Legislature.

I imagine that the cost-benefit analysis is like every other cost-benefit analysis. It has nothing to do with government spending; it has everything to do with government revenue. Under this bill, revenues will go up. You will have increased stumpage fees, increased area charges as well as what's called a fair tax or a new business relationship. They won't call it a tax because you don't want to share it with the federal government, so it'll be called a revenue enhancer or some other name.

Hon Mr Hampton: A stumpage fee.

Mr Hodgson: Stumpage fees are already going up. This is on top of this; this is the new business relation-

ship I'm referring to. Under your own estimates, I'm assuming this is the cost-benefit analysis that was given to the cabinet. It wouldn't be on the revenue side to show what impact this legislation will have on the MNR.

Also, any time you change and you're trying to promote that you've got sustainability in terms of jobs, I think there should be some analysis of how this will affect our competitive nature with other countries. Will this hurt our chances to improve our competitiveness? The forest industry has gone through a severe recession in the last four to five years. They're just coming out of it. This affects thousands of workers. How will this act impact upon their competitiveness with markets in states such as Michigan and other jurisdictions that compete against our wood products coming out of Ontario? There's been no analysis done on that. In fact, I suspect the reason there's no analysis is that there is no change from the status quo other than the title of the act. As I mentioned in committee, I felt that section 86, the short title of the act, should have been included in the purpose of this legislation.

Hon Mr Hampton: Read the manuals. You're not doing your homework.

Mr Hodgson: I'm probably one of the few people who actually read them all; the opposition critics.

In conclusion, I want to thank the staff that helped the government side through those onerous committee hearings where we had some questions. The minister wasn't there those days.

I'm going to let my colleague have a few minutes to address his comments to this bill. But this bill is basically window dressing for the doctors of spin, window dressing because after 30 years of the Crown Timber Act, for all its inadequacies, Bill 171 is not enough of an improvement to warrant throwing out the old act. It's another example of trying to be all things to all people and defining nothing. I don't know how they've done it, but the environmental people, the people in the industry, the people who are concerned with research and development, are closer together in a consensus than this government is. For these reasons, we will not be supporting this bill.

Mr Bisson: I rise with great pleasure for third reading debate of this bill. I'm going to keep my comments to what was mentioned by the members of the opposition with regard to this bill, because the record needs to be clarified in terms of some of the comments that were made.

First of all, what the members of the opposition were saying for the last 40-odd minutes is nothing but doom and gloom, that this is nothing but spin and nothing but window dressing. I'd like to go back and review the record with regard to what's actually happened in the province of Ontario.

I think back to the 1970s, when the Conservative government of the day announced one waferboard mill opening up in the community of Timmins. I remember that day well, and how they ran through the entire province talking about the wonderful work they did—which it was—announcing one waferboard mill, one OSB plant,

going up in the province of Ontario. There hasn't been another investment in this province when it comes to a new plant, when it comes to the forestry industry, since 1981; in that time, through the Liberal government and through the Conservative government, absolutely nothing when it comes to new investment in terms of the forestry industry.

Mr Bill Murdoch (Grey-Owen Sound): What about you? Four years, six ministers from the north, and nothing happened. Give us a break.

The Acting Speaker: The member for Grey-Owen Sound, come to order.

Mr Bisson: Now let's take a look at what's happened in the short four years since we've come to government. In four years, through the initiatives of sustainable forestry development that were initiated by Bud Wildman, the Minister of Environment and Energy, and carried through by Howard Hampton, ably assisted by his parliamentary assistant, Mr Wood, and the rest of this government, we have announced not one mill, not two mills, not three mills, not four mills, but five brand-new, greenfield mills in the province of Ontario have been announced under this government.

We have, in Thunder Bay, Buchanan building a hardwood sawmill. That's brand-new investment in the province of Ontario.

Mr Chris Stockwell (Etobicoke West): Co-ops, that's what they are. They're not mills. "Let's give them a subsidy."

The Acting Speaker: Order.

Mr Bisson: We have in Kenora, Tolko building a brand-new OSB mill. We have in Fort Frances, Boise Cascade building an OSB mill. We have in Wawa, Jager building a brand-new OSB mill; and we have, in Sault Ste Marie, Georgia Pacific with regard to the flakeboard mill. Those are brand-new investments in the province of Ontario under this NDP government.

Why? Because they have the confidence in the policies of this government. They want to do business in this province because they've found it's a great place to do business under the leadership of this government. That's the reality and that's what drives the opposition crazy. They can't stand to see this investment come to Ontario. They hate it, because every time you announce that, it means new jobs, it means new investment, and that means that their forces go down in the polls.

Mr Murdoch: Then call an election. You haven't got the guts to call the election.

The Acting Speaker: I call the member for Grey-Owen Sound to order. You will have your opportunity to speak.

Mr Bisson: On top of this brand-new expansion, we've also had additions to existing mills: in my own community, Malette waferboard, a brand-new OSB expansion in my community worth \$60 million that will secure jobs well into the year 2000 as well as brand-new investment for new jobs in my community. For the parliamentary assistant in Cochrane, Mr Len Wood, there's an expansion at Norbord with regard to brand-new veneer being expanded within that particular plant. And

that's only what we've done with this.

In terms of this government, who was there to help the people of Kapuskasing when it came to the question of that company wanting to pull stakes out of Kapuskasing? It was Len Wood, it was Bob Rae, it was Floyd Laughren, it was Shelley Martel, it was Gilles Bisson, it was the NDP government. And when Sault Ste Marie was going down the tubes, the federal government was running in the opposite direction. It was the leadership of Shelley Martel, Bob Rae, Tony Martin and all the NDP people to save that community just in that mill, not to mention what happened at Algoma Steel.

In Thunder Bay, when it came to Abitibi going down the tubes, who was there to help the workers? Who saved the jobs? It was the NDP that did it. Those characters on the other side of the floor, the Liberal government in Ottawa today and the Tory government at the time in Ottawa ran in the opposite direction because they would not take the responsibility when it came to the people of this province. Who did? It was the NDP. And that's what drives those people absolutely crazy.

But it hasn't stopped there. I've only spoken of \$500 million of greenfield investment in this industry alone—that's not including all other industries such as mining, automotive etc—but we're looking at expansion in that industry still further, up to about \$1 billion worth of investment. We're looking at two brand-new greenfield medium-density fibre mills that will be built in Ontario. We're looking at a brand-new veneer mill. We're looking at two brand-new sawmills. We're looking at expanding three more veneer mills, not to mention what's going to happen in pulp and paper in terms of expansion in that sector.

That is a record I am proud to run on in the next provincial election, and it is one that we will run on. I say to the Tory opposition and I say to the Liberals, the problem with you guys is that you just can't take it, because the reality is that our record has been exemplary. The leadership of this government through this Premier and through the minister and all of cabinet has been exemplary, and that is what has brought the investment into the province of Ontario.

With that, I would like to conclude by thanking the parliamentary assistant, Mr Len Wood, for a job well done in committee. I would like to thank the social ideologues within the Ministry of Natural Resources who are here now for their exemplary work in supporting this committee, and I look forward to the day when this bill is finally passed.

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Mr Murdoch: I am pleased to have this opportunity to join in the debate on Bill 171, the Crown Forest Sustainability Act. I thank the member for Victoria-Haliburton for his excellent presentation.

This bill is nothing but a last-ditch effort by the Minister of Natural Resources to gain some credibility in the forest industry and control the damage his government has done in the north. While there may be some elements in this bill which are acceptable to Ontario foresters—

Mr Bisson: On a point of order, Madam Speaker—

The Acting Speaker: A point of order.

Mr Murdoch: —as far as northern Ontario is concerned, this legislation is much too little and far too late. As co-chair of Mike Harris's northern focus, I had a firsthand opportunity to learn just how unpopular—

The Acting Speaker: Excuse me. I am recognizing a point of order. Just one moment, please, the member for Grey-Owen Sound.

Mr Bisson: Actually, it's a point of personal privilege.

Mr Stockwell: Come on, Gilles, it's time allocation. Sit down.

The Acting Speaker: I didn't hear your point of order. You do not have a point of order? Okay.

Mr Murdoch: At no time in the history of this province has an entire region ever experienced such a deep-rooted sense of betrayal by and mistrust of a provincial government. For the foresters and local politicians it is not a matter of how to deal with this government but how to get rid of it as soon as possible.

While this kind of message may sound harsh, I would like to assure this House that northern Ontario's contempt for this government is truly justified. The history of contempt can be traced back to the 1990 election and the NDP's Agenda for People. Investment in the north and expanding northern development were key components of the NDP platform.

They promised \$100 million for the four-laning of the Trans-Canada Highway and \$400 million for a northern development fund. But promises were all these people got, because we know the government has not spent anywhere near the promised amount. For this reason, northerners cannot trust this government.

The fact is that this government has done more to damage the economy of the north than any other because of the NDP's inflexible policies. The hope for 300 jobs in Kirkland Lake was destroyed. The NDP is incapable of incorporating a commonsense solution, such as rail-haul of waste, because the rigid, left-wing philosophy dictates that garbage must be dumped in your own backyard even if that backyard is prime agricultural land. Also to this government's credit are record tax hikes. Bill 40 and Ontario rates have driven away jobs and investment in Ontario's north.

The Minister of Natural Resources has put forward a bill that is supposed to promote sustainable forestry and to provide a future for forests, but the bill does nothing to ensure the long-term future for the hundreds of thousands of jobs that are directly and indirectly linked to forestry.

The minister spoke earlier about his government's responsibility to sustain communities that are reliant on the forest industry. The minister should tell that to the people in the village of Braeside, who lost 132 jobs and most of their tax base. These jobs were lost not because of lack of trees to harvest but because of the direct negative intervention by this minister.

While the Minister of Natural Resources tries to

position himself as a friend of the foresters, I will remind him of the position the small, independent loggers were in when the NDP doubled the stumpage fees and the area charges. In a desperate attempt to find more revenue to feed their high-spending, high-taxing deficit machine, this government increased forestry taxes by 100% in one budget. The result was a large net reduction in jobs in the forestry sector.

Most of us will agree that Ontario's forestry policy should strike a balance between sustaining forests and managing those forests to sustain jobs. Unfortunately, the NDP does not understand this balance.

Instead of consulting local communities and economic stakeholders, the NDP forestry agenda is driven by urban or international environmentalists who have never seen the area they want to control.

I use as an example the Madawaska highlands proposal. Here we have a proposal which will effectively stifle the traditional multiple use of lands and resources. No one in the area has asked this government to move in and restrict use, yet the government is proceeding anyway. Why is the NDP proceeding to disallow traditional resource use in five eastern Ontario counties spanning an area of 4,000 hectares? Was this part of the NDP platform in eastern Ontario? No, this was an NDP promise to the World Wildlife Federation to meet the expectations outlined in the endangered spaces program. As anyone who uses resources in the Madawaska area will tell you, they are not endangered spaces. These spaces have been responsibly managed for over 125 years by the people of the local communities.

This relates in a critical way to Bill 171. It relates because we have to look at the way this government has handled Ontario's resources and how it has dealt with the affected people.

In section 12 of this bill, it appears as though the Minister of Natural Resources has found a way to address local citizens' concerns. I must add that our party has supported the principle of consultation and community-based management. However, Ontarians will be very sceptical of any committee or consultation process put forward by this government.

The Minister of Natural Resources' citizens' advisory committee for the Madawaska highlands has proven to be nothing but a smoke-and-mirrors sham. Last year, the warden resigned because he was misled into believing that the MNR would actually implement proposals put forward by the committee.

This government can waste as much time as it likes in the Legislature talking about what it is going to do for the forest industry and for the people who rely on that industry, but very few will listen or believe.

This is just another one of the lengthy bills this government has brought forward that is wrong and will not work for this province. Unfortunately, when they're thrown from power, when we're in the government next time, we will have to change these bills.

This government again has proven that democracy is not in its title. They call themselves New Democrats, but that word does not fit your title at all. Twenty closure

bills—20 of them—in four years. There were only seven since Confederation. This government does not want to listen to anybody. They promise they will consult and they go around this province consulting, but you've never once listened to anyone, just your own driven philosophy. It's all you do.

Madam Speaker, we will not be supporting this bill.

Mr Wood: I would just like to speak in support of Bill 171, the Crown Forest Sustainability Act. With this act, for the first time Ontario will have legislation that looks at the whole forest and will be better able to develop an ecosystem approach to forest management.

I've listened to both of the critics, especially the Liberal, a lot of gloom and doom over the 18 or 20 minutes he was commenting and saying he will not support it. There are a lot of workers throughout northern Ontario who were pretty happy when the government was elected in 1990. The Liberal government was going to let Spruce Falls go down the tubes. They had worked on it for a year and there were over 1,000 people the Liberal government was prepared to let go.

Mr Murdoch: You've had six ministers from up there and you have done absolutely nothing for the north. You've had six ministers and they're all brain-dead.

Mr Wood: I listen to the Conservative critic heckling from the other side. In 1983, they allowed Kimberly-Clark to shut down two Kleenex machines at Kapuskasing for no reason whatsoever. For no reason whatsoever, they threw thousands of people out of work right across the north.

Interjection.

The Acting Speaker: Order, the member for Grey-Owen Sound.

Interjections.

The Acting Speaker: Please take your seat. I have asked the member for Grey-Owen Sound to come to order, and I am waiting for the House to come to order.

Interjections.

The Acting Speaker: Order. The parliamentary assistant would like to conclude. I am waiting for the House to come to order. Please conclude your remarks.

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Mr Wood: It's understandable that both opposition parties are there to criticize, but with the piece of legislation we have, which is part of the \$800 million that has been invested in northern Ontario to create new sawmills and new oriented strand board plants, the expectation is that there will be close to \$1 billion in 1995 that will be invested in northeastern and northwestern Ontario to create jobs, to protect the single-industry communities that are out there.

We didn't see that support coming from the Conservatives, who were there for 42 years. As I said before, they allowed operations to shut down for no reason whatsoever.

In 1987 the Liberals allowed the sawmill to shut down in Kapuskasing. We're proud to say that in Kapuskasing right now we're able to work with the company, with the CEP, with all the other unions, with the management, and

we were able to rebuild the sawmill that the Liberal government allowed to shut down. We're going to see number one paper machine come back on stream. And we're going to see them continue to grow, not only in Kapuskasing but in Cochrane. There's an expansion program out there. In Hearst, there's an expansion plan out there for an operation. There's nothing but good news out there.

Sure, we've had some critics who came forward during Bill 171 and said, "We want more amendments made." We made a lot of the amendments that people were looking for.

Mr Murdoch: Critics? Those people were just concerned.

The Acting Speaker: The member for Grey-Owen Sound, come to order.

Mr Wood: There are hundreds of thousands of workers out there who are supporting this, who have called us and said: "We're pleased with what you're doing. We're happy with what you're doing. Continue on the same course. We want you to continue to protect all of these single-industry towns. We don't want to see what happened over the 10 years before you came into government. We're proud of what you're doing. You're investing in the north, you're protecting jobs and communities, and we're looking forward to see new growth," which is happening. There'll be further announcements made from now until the end of January.

Prior to that, as my colleague from Cochrane South has said, there was no investment in 15 years. There were no new operations that were built in 15 years prior to us taking office. Now it is happening and it's happening as we're coming out of the worst recession we've had in 50 years. No other government in recent history has ever had to deal with what we dealt with as a government, at the same time protecting communities and creating jobs, and we're proud of what we've done.

If you look at the list of towns and communities and cities that are getting new operations, new expansions, they're not criticizing Bill 171. They're not criticizing the new agreements. Myself and Howard Hampton sat down in Kapuskasing yesterday and signed new agreements converting the FMAs over to silviculture 20-year licences. There have been close to 25 that have been signed and converted over the last number of months. There are a number yet to go, some large ones and some small ones.

It's a good piece of legislation. We're proud that it is finally in third reading and I'm proud to stand here and say that I support it 100%. Thank you very much.

The Acting Speaker: The time for debate has expired.

Honourable Minister Hampton has moved third reading of Bill 171, An Act to revise the Crown Timber Act to provide for the sustainability of Crown Forests in Ontario. Is it the pleasure of the House that the motion carry?

Interjection.

The Acting Speaker: Okay. By prior agreement, the vote on this matter will be held tomorrow.

POWER CORPORATION AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI
SUR LA SOCIÉTÉ DE L'ÉLECTRICITÉ

Mr Lessard, on behalf of Mr Wildman, moved third reading of the following bill:

Bill 185, An Act to amend the Power Corporation Act / Projet de loi 185, Loi modifiant la Loi sur la Société de l'électricité.

Mr Sean G. Conway (Renfrew North): I don't intend to be too long on this. Indeed we had a discussion only last evening, but since I'm going to sit here till midnight and listen to some of the orations, particularly one offered by the member for Cochrane South, I think I have some right to at least release a little bit of tension.

I want to simply make a point about that part of Bill 185 which deals with the power that will be vested with the cabinet to choose either the president or the chairperson of Ontario Hydro to be the chief executive officer. I think, as I said last night, that is a sensible change of policy. The government recognizes that what it did three years ago in Bill 118 was wrongheaded, and I congratulate it for recognizing the error of that way and restoring the policy that's contained in section 1, I believe it is, of Bill 185.

I wanted tonight to take a moment to talk to this whole business about the chief executive officer's position because of reports today in the press about the testimony offered yesterday by Maurice Strong at the Ontario Energy Board hearings concerning the operations of Ontario Hydro International. I don't know whether anybody was struck, as I was, by what appeared to be the rather haughty attitude that Chairman Strong took at those hearings. It was just a little difficult for me to accept, as reported in today's press, the attitude of the chair of Ontario Hydro who went to the OEB hearings yesterday, hearings which the minister indicated in today's question period were initiated by the government to look at the whole question of what is the appropriate mandate for Ontario Hydro International.

I must say, I congratulate the minister for initiating the OEB reference, but I would like to believe that the government, and most especially the minister, has a view as to what kind of policy context should guide Ontario Hydro International. It is all well and good to ask the OEB for some advice, to hear submissions, but it seems to me it is the job of the minister, on behalf of the government, to set policy for Hydro, particularly in an area like this. I'll return to that in a moment.

But to read in today's paper that the chair of Ontario Hydro went to the hearings yesterday and basically said: "Listen, I'll not tolerate anybody looking over my shoulder. I am going to insist on the unfettered right of Ontario Hydro management to make those decisions"—I thought I had brought those clips, but apparently I do not have them in my possession. But I remember well the direction of Mr Strong's testimony and it was, again, a little bit off-putting.

It is no secret to anyone that Ontario Hydro, both in its domestic and in some of its other operations, has not always succeeded to the extent that was advertised. I

can't ever remember a venture which had, on the face of it, such risks as will be associated with the multimillion-dollar interest and investment that Ontario Hydro International has taken with this Peruvian utility. I think ratepayers from Walkerville to Cornwall will be anxious to know just how they are going to be saved harmless from that risk should it in fact produce losses.

A number of people in this province, both inside and outside the financial and the electricity sectors, are very concerned about not just this investment, but the kind of trend it speaks to, so to have Mr Strong go, as he did yesterday, and say, "Listen, I just will not tolerate the government or the Legislature looking over my shoulder in this kind of matter"—I think Mr Strong needs a very clear direction from the government that this may not be the kind of activity in which the Ontario provincial electrical utility should be taking part in. I was not at all encouraged by the tenor of Mr Strong's testimony yesterday that he understands just what level of concern exists on Main Street Ontario about the potential risk and exposure that Ontario Hydro ratepayers and Ontario taxpayers generally face should this investment turn to be something other than positive.

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I have said before, I repeat now, that I do believe there is a role for Ontario Hydro International, or, put another way, I do believe there is today, as there has been for many years, a role for Ontario Hydro in the international marketplace. Personally, I don't have any particular expertise that would give me the final word as to what the nature and extent of that investment should be, but I know this: that we have an obligation, those of us in the Legislature and certainly those at the Ontario Hydro board, to deal with the concerns of Main Street in this respect.

My constituents, like, I suspect, everyone else's in the assembly, are aware that Ontario Hydro is essentially a provincial utility. It's a provincial electrical utility undergoing very substantial change at the present time. It has a debt of some \$37 billion that is offset by some very substantial revenue-producing assets. It's fashionable for people, perhaps more fashionable for opposition members, to point to the debt of Ontario Hydro, and it is considerable, but it is a debt that is offset to a substantial extent by revenue-generating assets. But there is no doubt, certainly in my mind, that many Ontarians are very concerned about the fact that the utility is faced with as much red ink as it has seen in the past number of years.

I don't want to rethrash tonight because, as I said last night, this very quickly gets into matters of religion and theology, and we're too close to Christmas for that kind of debate. But there is, I think, a very great danger in this kind of activity, that is, spending X millions of dollars and taking an interest in the Peruvian utility. I haven't checked this lately, but I think one of our partners in the Peruvian venture is in fact a Chilean concern. Who would have thunk it? Who would have thought that the agents of Bob Rae and General Pinochet would be together investing in a Peruvian utility? It just tells me that we live in a world of great change and greater possibility.

Mr Robert Frankford (Scarborough East): I think he is out of office now.

Mr Conway: Oh, I'm not so sure that the General is as far away from office in Santiago as perhaps my esteemed friend from Scarborough East suggests.

But it is my point that while there is a role, I think, for Ontario Hydro in the international marketplace, I have very grave doubts that the kinds of ventures we have seen—and I mention two: taking an interest in this kind of Peruvian utility, or, as was reported earlier, buying a piece of the Central American rain forest—recommend themselves immediately to, shall I say, the common sense of Main Street Ontario. I'm concerned about Main Street Ontario in this debate because we are going to have to explain to people on Main Street Ontario that significant change is going to have to continue at the electrical utility called Ontario Hydro.

We have seen rates go up considerably. I said last night, I repeat again, much has been said about the fact that the industrial rate's being reduced by 0.7%, slightly less than 1%, in the coming year, and that's true. But we've had some very substantial rate increases at Ontario Hydro over the last two or three years, and most people, most residential consumers and industrial consumers of Ontario Hydro's product, electricity, don't stop me on the street in Bancroft or Barry's Bay or in Glencoe and say, "Gee whiz, I'm really happy about the rates coming down." Their sense is that rates are very high and that the cost structure of Ontario Hydro has simply got to be brought down.

The government has embarked, or Hydro together with the government has embarked, on a number of measures to shed some of the cost and some of the weight at Ontario Hydro. Some 6,000 employees will be shed in the first round or two of "restructuring," at a cost of \$1 billion, and again these are costs that will ultimately be borne by the ratepayers.

It is against that backdrop, then, of substantial rate increases, dramatic changes at the provincial utility, an ongoing tension between the Power Workers' Union and Hydro management around the current and future state of affairs at the corporation, that people pick up their *Belleville Intelligencer* or the *Windsor Star* and read on page 1 or page 5 that: "We're what? We're going to buy a Peruvian electrical utility? We're going to perhaps buy a piece of a rain forest in Central America?" It offends the common sense of many Ontarians.

Now, I think there is an argument to be made, as I indicated earlier, for an international presence. I don't particularly favour the two projects that I've mentioned on a number of occasions tonight, but even more worrisome to me is the attitude that is reported in today's press from the current chair: "Well, I'll not have my decisions watched to that extent. I'll not have the kind of oversight that some of these politicians are talking about. I'm either going to run Ontario Hydro International the way I see fit to run it or we'll just simply get out of the business altogether." I don't find that to be a particularly helpful or a constructive attitude.

As I said last night, and I repeat again, I think the choice of Maurice Strong as chairperson of Ontario

Hydro was an interesting one, was, I thought then, a pretty gutsy decision for the Rae government to take. Mr Strong brings a very interesting mix of private and public sector experience over many years in many places, not all of those places Ontario or Canada. I have always been concerned that his reputation of not hanging around to see the job through might in fact be a problem here, and I remember raising that with him when we met some two years ago.

He has launched, in his tenure as chairperson of Ontario Hydro, a number of significant initiatives. I happen to be one of those people who believe that it is not just good enough to announce policy, that the real difficulty, the real challenge, the real test of executive leadership is program implementation. My own view is that what Ontario Hydro needs at the present time is the kind of creative energy that a person like Maurice Strong clearly has, but it needs to be applied over a sustained period of time, and in my view that time ought to be a minimum of four to five years.

The sense I have is that Mr Strong came; he, in quite a declaratory fashion, set out the problems and the challenges that he faced. I read some of that statement he made on December 9, 1992, to the standing committee of the Legislature, where he said he saw a public corporation facing a kaleidoscope of problems and a crisis of public confidence, and I think he was substantially right, and the reasons for that are many and complex.

This debate—and I heard the minister again today. He basically would have us believe that it's really mostly the fault of Darlington. Well, that's his view. I was a critic of the Darlington decision back in the 1970s and in the early 1980s, and I accept that people in the current government might say that the Peterson crowd made a big mistake in 1985 in approving the completion of Darlington. I think that's a fair criticism.

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I suppose the response I might make to that, to my friends who now occupy the treasury bench, is that faced with the kind of growth pressures we faced in 1985, what was the alternative? There were alternatives, there is no doubt. But it is perhaps an interesting question to imagine, had we cancelled Darlington, what would we have done to secure for Ontario, as it really started to move through a very substantial growth period, alternative sources of megawattage?

I see the junior minister for Middlesex shaking her head, and she's now shouldering the very considerable burdens of office so I'm sure she shakes her head in the negative knowingly. But the fact of the matter was that by 1989 we were faced in this province with a situation where we had virtually gotten to the outer limit of our capacity to meet the demand that was then there. Now, it's true that we had a very precipitous decline in that demand from 1990 onward. I think all honourable members are concerned about the fact that we've had three or four years of very substantial economic recession, and that's no joy for anyone.

The fact of the matter is that there's a lot more to this than Darlington. I suspect that should we find in the coming months and years another spurt of activity, there

will be some decisions around new capacity. It's all well and good to curse the darkness, but somebody is going to have to light—metaphorically—a candle.

I see with some interest that the Baie James project, the Great Whale project, has been cancelled for a variety of reasons. I happen to believe that those kind of mega-projects, that did materially add to the financial problems facing Ontario Hydro, are a thing of the past. How much a thing of the past will be, I think, for only history and the future to indicate, because, as my friends opposite will know, when one is forced to deal with the exigencies of the day and the burdens of office and the responsibility for keeping the lights on, sometimes you don't have the menu of choices that you would like. The people of north Hastings and west Middlesex will nonetheless expect you to have answers to, among other things, keep the lights on and the buses running.

Hon Elmer Buchanan (Minister of Agriculture, Food and Rural Affairs): Cogeneration.

Mr Conway: My friend says cogeneration. There's no doubt that there's going to be very considerable opportunities in that area.

Hon Mr Buchanan: Wood waste in Renfrew.

Mr Conway: Listen, those are all perfectly good and attractive options. I know this: The kind of hydro-electric developments that have scarred the landscape of my part of eastern Ontario are probably more impossible into the future, as I see it, than perhaps small nuclear. If people think you're going to dam up the Madawaska or the Ottawa rivers like was done in the 1940s and in the 1950s and the 1960s to produce what we all agree is a relatively benign mode of generation—not perfect, but relatively benign—I have news for you: I don't think my constituents will tolerate it for a moment.

Now, we all imagine that there will be some outer frontier.

Hon Ed Philip (Minister of Municipal Affairs): Dam the Humber River.

Mr Conway: The member for Rexdale, the Minister of Municipal Affairs, says dam the Humber River. Maybe it can be dammed. I suspect more likely to be “damned” will be the proponents of such a project.

The point I want to make is that Ontario Hydro is facing some very substantial change and challenge, so if we are going to win the confidence of the people of Ontario, as they grapple with rates that are quite high, that will hopefully continue to come down, we are all, myself included, I think sufficiently politically correct never to touch on some of the really interesting issues around the cost structure at Ontario Hydro because that would be indiscreet, to say the least, in an election year. I know the managers of Ontario Hydro under the current regime have certainly come to understand just how it is that that utility has managed over the years to have the cost structure that it has, which is too high and must be brought down. But, boy, there are input costs there that are really interesting and not easily moved in the downward direction.

So as I say, I think it is going to be important, as we move forward, to deal with this, to make sure we bring

along the public of Ontario. And as has been indicated by a number of people in the this Legislature this year, it is not on the top of everybody's list of good things for Ontario Hydro to be doing to be thinking about buying rain forests and actually buying pieces of Peruvian utilities.

I would simply say tonight that it is very important for the Minister of Energy, on behalf of the government, to accept his responsibility and to make plain what the criteria will be for Ontario Hydro's international activity. That has not been done to date. I think it is important for the minister, on behalf of his cabinet colleagues, to say, “Yes, we believe that there is an international role, and I certainly support it in that, but we expect Ontario Hydro's international activity to be guided by the following principles, by the following criteria.”

My own advice would be that, in the early going, it is going to be extremely important for the government to proceed prudently and to expect that Ontario Hydro International will move forward prudently or conservatively. Let us say, for example, the Peruvian venture comes a cropper and turns out to be much less than advertised. I believe that will have a devastating impact on future activities by Ontario Hydro in the international sphere.

I think it is well and good that the Ontario Energy Board should be having these current hearings, but I think far more important, and far more urgent, is the need for the Minister of Energy, on behalf of his cabinet colleagues, to state clearly what the principles and what the criteria for Ontario Hydro's international activities are to be.

I would hope that the Premier and/or the Minister of Energy would convey to the chair of Ontario Hydro, colourful, idiosyncratic fellow he is, that the attitudes he revealed yesterday, which were almost, “How dare they question what we're doing in Peru?” are not helpful. I know that Ontario Hydro is a crown corporation which has some independence from government but not, quite frankly, nearly as much as political science and some of the statutes would have you believe, for obvious reasons. There are few activities carried on in the name of Her Majesty's Ontario government that are more important, more sensitive and more immediate in their impact on all of us than the mandate of Ontario Hydro.

My friend from Lanark isn't here tonight, but he likes to say that if you could just keep the politics—

Mr Ted Arnott (Wellington): He was here last night.

Mr Conway: He was; he was very good last night. But people, the member for Lanark-Renfrew and others, sometimes say, “It would be just such a good thing if they could keep the politics out of Ontario Hydro.” It's impossible. There hasn't been a government—Liberal, Tory, New Democrat, farm labour—that could keep its political interests apart from what Hydro is up to. That's not a surprise, and it's probably healthy. I don't think the politicians should be running the corporation on a day-to-day basis.

But there are fundamental political issues at stake here. Any of you who represent particularly rural constitu-

encies—we were talking just a moment ago about the resource sector—if you've got sawmillers or farmers in your constituency, you'll know something about just how vital is the impact of electricity on the economy. If you've got a hospital in your community, you'll know only too well about how fundamental and how important is the hydro service to that part of the social sector.

I simply want to say that Bill 185 is legislation that I can support. I think the CEO should either be the chair or the president, and I think the flexibility is properly captured in this legislation.

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I will say again that what I had expected from the government was quite frankly much more than Bill 185, and I don't think I'm alone in this. I suspect that on this, Maurice Strong and I would agree. It seems to me that about a year, a year and a half ago, there was some expectation that the government would develop—I called it last night a white paper. It could be called an options paper.

As all honourable members who know anything about this business are aware, there is tremendous change occurring across the continent and across the developed world in terms of electricity. We have had in this province a policy framework that's been fairly consistent since the days of Adam Beck. We have had a public utility, Ontario Hydro, that has been significantly monopolistic. In the beginning it was intended to be a municipally controlled cooperative distributing electricity produced by private generators. That's the Hydro the province launched 80-some years ago. Over the intervening decades, it developed into Mother Hydro, which was almost entirely a public monopoly, controlling almost all the generation, certainly almost all the transmission and distribution.

Technology and changing times have brought us in 1994 to the cusp of new realities. We are faced now with pressures to change substantial components of the existing policy. To be fair, the current government, like predecessor governments in the 1980s, has moved cautiously to begin that change. We now have something called non-utility generation. That's private power. That is privatization of a sort, and I think it should be encouraged to a certain and limited extent. People talk about, "Isn't the privatization of Hydro unthinkable?" I simply want to make the point that we have a growing part of the generation coming from private generators.

We have work that is currently under way between the Municipal Electric Association and others looking at how the transmission and distribution sectors might be realigned to provide greater efficiency and lower costs. Let me be clear that among the principal pressures driving the new Hydro will be the public's expectation that costs are going to come down and that new policy is going to accommodate new technology and new technological possibilities.

I would say that I expected some months ago—it will not now happen in this Parliament, but a new government is certainly going to have to initiate this I think very quickly—a set of options looking at these key questions in terms of generation, in terms of transmission, in terms

of distribution. There is no doubt that Ontario Hydro, the giant utility of the 1970s and 1980s, is not on for the 21st century. It is going to shrink. That's going to be of great concern to people like the Power Workers' Union, and there's going to be a lot of tension and friction as we move through those changes.

Some people imagine a UK-style sell-off of significant assets. I don't think that's either necessary or desirable, though some of it may very well occur.

It's going to be important for the Legislature and the public beyond to understand to a far greater extent than perhaps any of us do now what the choices are, and what the costs, what the benefits and what the consequences of these policy changes will be.

I would encourage the department of Energy and the planning folks over at Ontario Hydro to bring forward or prepare to bring forward that kind of options paper so that a select committee of this Legislature can undertake not just a good examination of the choices we have in this area but, equally, that group of elected members can begin the important business of educating the public around these key questions.

So I say again tonight, Bill 185 is a bill that my Liberal colleagues and I can support, but I for one look forward to the day in the not-too-distant future when a government, a Minister of Energy, will bring forward the guts of significant policy change that are clearly about to present themselves, not just to Ontarians but certainly to just about everyone else across the North American continent and much of the developed world.

The Acting Speaker: I thank the member for Renfrew North for his contribution to this debate. Questions or comments?

Mr James J. Bradley (St Catharines): I really enjoyed the remarks of the member for—is this remarks?

The Acting Speaker: Questions or comments to the member.

Mr Bradley: But I see I have 59 minutes on the clock up there. That's why I'm asking. I think I have two minutes to make these remarks.

I was really impressed with the remarks of the member for Renfrew North, who has canvassed this issue with a good deal of zeal over the last several years. I was pleased to hear him mention the need for significant reform and his support of this bill. One thing we're finding is that there is a consensus that can build around a lot of legislation in this House and I was glad to see the very constructive role that the member for Renfrew North was playing in regard to this piece of legislation.

There is a consensus that does develop from time to time. We've seen some significant changes. Should I get an opportunity to make a few remarks later on, I would have wondered if the member would have dwelt considerably on the export policy of Ontario Hydro, because I can well recall that if you exported one kilowatt a few years ago, the environmental community would be bouncing off the collective ceiling of this province. The very thought—

Mr Chris Stockwell (Etobicoke West): It would be on Radio Noon, wouldn't it?

Mr Bradley: It would be on Radio Noon, CBC, for

sure. I think they were talking about how to plant flowers this week. But it would be one of those hard-hitting shows on Radio Noon.

I can remember when it was almost sinful to contemplate an opportunity to export power to the United States. Today we find, of course, that there are a lot of advocates of exporting power to the United States and some of them are, I think, the same advocates who were advocating the sale of Candu reactors to China.

I saw the Premier of this province—I think I have a photograph somewhere in here—with Jean Chrétien, and they were both attempting to sell Candu nuclear reactors to what we used to call Communist China, Red China. When I saw that, I was indeed surprised, and I just wondered whether the member for Renfrew North had had an opportunity to cover that topic during his remarks.

Mr Stockwell: I would like to ask the member from Renfrew, who offered us some insight into his views on Ontario Hydro—the Candu thing was something I'd like to hear his comments about.

China seems to have this kind of effect on people. For Richard Nixon, of course, when he went to China, there was a very real conversion of the man. I've noted now, with some degree of hopefulness, that when Mr Rae went to China there appeared to be a conversion as well. I'm not sure if it's the water or the level the planes fly at, but I was surprised when the Premier, the man I remember in his lumberjack shirt in Temagami, and the handcuffs—I remember that fondly. There he was in China, with the great record they have of human rights, there he was, the protector of the people, fobbing a couple of Candu reactors. It reeked with irony, and I think it's important that the member from Renfrew touch on that. The communities around this province, with the irony dripping off that situation, would like to hear what he thinks about the Premier—the tree-hugging, hand-cuffed, lumberjack Premier of ours, fobbing Candu reactors to Red China.

Now, the conversion took place. I did mention Mr Nixon, Mr Rae. It just was one of those situations where, when I picked up my morning paper and saw that picture of Jean Chrétien and the other premiers, including the Premier of British Columbia and Mr Romanow, the Premier of Saskatchewan, and of course Mr Rae, all good socialists, and those Candu reactors, holding that signed contract up, it sent chills up my spine, and I'm certain it sent a few up others' as well.

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The Acting Speaker: Further questions or comments to the member for Renfrew North? Seeing none, the member has two minutes to respond.

Mr Conway: I think we probably are a little outside the rules on this. It's a third reading debate. Are we allowed the two minutes?

Mr Bradley: Oh, yes.

Mr Conway: I didn't realize that. Well, that's good to know.

I simply want to say to my colleagues who've kindly passed on their observations around the Premier's recent visit to China, that it is a brave new world that hath such people in it, and I suppose we ought not to be surprised.

The man who embraced public auto insurance in opposition and who fled it in government, the man who denounced Candu technology in opposition is now a kind of Stanley Randall of the 1990s, off in China selling its appeal.

I have stood in this House for the better part of 20 years proudly, as the member for Chalk River, saying this Candu technology is a good and positive part of the energy policy and the future of this province and country. I am not happy, quite frankly, about some of the problems that have arisen at Bruce and at Darlington, but that does not mean for me that the Candu technology is not essentially positive and viable.

Mr Bradley: What did Audrey say about it?

Mr Conway: I see where Audrey was chastising Mr Rae, and now I see some of the union movement is today chastising Audrey for chastising Bob Rae. It's clear that all is not well in the world of the New Democracy. But I want to say seriously that there are important questions of generation. I believe the nuclear option, which has been important in the past, will continue to be a part of the future. It's got to be balanced by other modes, cogeneration, some future hydro-electric, but I believe that the Candu technology can continue to be an important part of the energy future of Ontario and of Canada.

The Acting Speaker: I thank the member for his contribution to this debate. Further debate?

Mr Arnott: I am pleased to rise this evening to speak to Bill 185 at third reading. Our colleague the member for Lanark-Renfrew, who is our Energy critic, spoke at length on this bill I believe last night and outlined in detail the arguments of our party, so I will speak quite briefly this evening.

From the outset, I want to say that the PC caucus supports the 52 municipal utilities that want to expand and we agree with the broad general thrust of Bill 185. It is unfortunate, however, that this legislation may be redundant in relation to Ontario's labour legislation and successor rights. We fear we may end up with a situation where the Power Workers' Union will automatically take over the labour jurisdiction, bringing higher wage costs and a major disincentive for the expansion sought by this bill. Bill 185 goes to great lengths to ensure fairness in the transfer of employees from Ontario Hydro to the municipal utility. Everything from wage entitlements to pension benefits and sick days are covered.

But these items in section 83.7 of the bill could be rendered worthless if it is determined that there has been a sale of business when a service area is transferred from Ontario Hydro to the municipality. When we consider the degree to which Bill 185 may be contrary, it appears as though the minister may have overlooked a very crucial factor, and in doing so, he may be opening the floodgates for automatic union takeovers in municipal utilities across this province. This would not only serve as a disincentive, but again, it contradicts the purpose and function of Bill 185 as stated by the government.

If we take, for example, subsection 83.7(33) of the bill, it stipulates a seemingly fair formula for assistance during the first calendar year after the transfer date. However,

the formula may be very misleading. How does the minister expect the municipality to be compensated when the salaries of all its employees are raised to Ontario Hydro levels? How will Hydro or the Ministry of Environment and Energy compensate local commissions for losing the ability to contract out to small firms for services? If we look at the logic, to use the term loosely, it appears as though the minister has either not really considered the union expansion contingency or, worse still, is not concerned.

The 52 municipalities will be acquiring approximately one tenth of 1% of Ontario Hydro and, in return for this relatively modest transfer, the cost could be total unionization in each area and an increase in overall costs.

Municipal commissions that simply want to provide a good service at a good price throughout their jurisdiction have no true guarantee from this government. Furthermore, every financial assurance in Bill 185 appears to be deceptive in light of the fact that the Minister of Energy cannot stand in this House and guarantee that successor rights will not apply.

Those are some of the broad-based concerns we have with respect to the bill, although I have indicated that we do intend to support it in principle and at third reading.

I would like to give our critic credit for the work he's done in the last number of years on the Energy portfolio. I remember very well working with him on the last amendments to the Power Corporation Act that the government brought forward, Bill 118, and a number of the issues that were brought forward at that time. He's certainly done an outstanding job in representing the concerns of the people of Ontario with respect to Hydro and Energy issues, so I want to give him credit in closing.

The Deputy Speaker (Mr Gilles E. Morin): Questions or comments. If not, any further debate?

Mr Bradley: I want to be very brief this evening in offering some remarks.

Applause.

Mr Bradley: That brought a round of applause from my colleagues.

I want to deal with a couple of issues that are dealt with in a peripheral way in this bill; that is, I wanted again, in a little more detail, to talk about the fact that we are now promoting the export of power to the United States and how sinful it was just a few years ago to do so.

I would expect to see a demonstration, as this bill passes, in front of the Legislative Assembly of all those who have been concerned over the years about exports to the United States. The member for Etobicoke-Rexdale, who has been in this House many years, since 1975, the member for Hamilton East, the same length of time, and the member for Hamilton Mountain since 1977, would all recall very well the suggestion that there be a major conduit put under Lake Erie for the purpose of exporting power to the United States, and how there was a hue and cry about the potential for Ontario producing electricity, with all of the negative impacts that come along with the production of electricity, that would go to the United

States. The government House leader, who at one time was the Energy critic for the NDP, would particularly recall this well.

Hon Mr Philip: That was even before the Liberals were against NAFTA.

Mr Bradley: The member for Etobicoke-Rexdale talks about NAFTA. I well recall, because there must be some power implications in it, that his leader, the Premier of this province, was going to stop NAFTA in its tracks, "Legislation will be brought forward to prevent this from moving forward." Then of course I waited and waited patiently, as I am a very patient person, and found none of that legislation and none of those regulations. Yet Ontario seemed not to suffer from the lack of heated air in the province as the Premier made those speeches and we had no action.

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Going back to the power itself, there was a feeling that if Ontario were to spend money developing this capacity—and we all recall, back in the old days when the New Democratic Party found nuclear power to be somewhat sinful, that in those days one would not certainly use power from those plants, the nuclear generating stations, to sell to the United States, and perhaps other provinces. Certainly, we did not want to dam up any more rivers, we did not want to cause any more problems with the waterfalls in various parts of the province so that we could simply export power to the United States, and we did not want to burn any more fossil fuels because we know the detrimental effect on the atmosphere of the burning of those fossil fuels. Yet today we have the government talking in very favourable tones about exporting power to the United States.

I guess one of the advantages that I see is if there were to be a change of government after the next election, if that were to happen, the New Democratic Party would not be in a very good position to be critical of many of the initiatives that it used to be critical of in opposition.

Another I want to speak briefly about is the nuclear generating program in Ontario. I used to watch the NDP conventions. They're always interesting; I would read the reports in the newspaper. My friends would come back from the conventions, my good friends, and tell me what had happened at each one of them and almost invariably there would be a resolution or six passed denouncing nuclear power for the generation of electric power. I was looking at a photograph I had of the Premier—I have many of them. This is one which shows him in China and it's both in Mandarin and English, and here he is with Jean Chrétien. He is shaking hands and there's not a caption underneath but I was thinking that perhaps he must be saying, "Bring on the nukes."

I know the member for Peterborough was an individual who was very opposed to nuclear generating stations and I, like the member for Etobicoke West, have viewed some considerable changes in government policy. The greatest hope that the members on the governing side can have is that they be re-elected because in opposition, for at least the first few years, they will not be in a very good position to criticize a subsequent government for some of the policies that might be carried on, policies

that the NDP has itself carried on.

I look at the government House leader, excellent Environment critic and Energy critic that he was, and I think I remember some of his speeches in committee and in the House that were denouncing the very policies the government is following today. He denies this emphatically today but I think if one were to look in Hansard—I see the member for Etobicoke West is going under his desk to get the Hansard now to see what was said in those days.

I am pleased to see that we are moving forward with some legislation that has a consensus in this House. We in the opposition have always been pleased to accommodate the government with legislation with which we agree. There is no need tonight for a closure motion, although I kind of missed it this week when I looked on my desk and there wasn't a closure motion sitting there. The government was not cutting off debate. That is because we have consensus on this legislation.

Mr Stockwell: It's democracy. Two days in a row without a closure motion.

Mr Bradley: The member says two days in a row and we have not had a time allocation motion.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): Three days.

Mr Bradley: Three days in a row, says the government House leader. There was an auction earlier this evening and we're up to three days in a row.

I'm not one who ordinarily congratulates the government because I know that's its job. In fact, I stood in the House yesterday and suggested that the Minister of Health allow a new coverage in OHIP for cabinet ministers because I know they were having a very difficult time with their backs. They were getting bruised and they were quite painful from patting themselves on the back for various initiatives they had come forth with—

Mr Stockwell: Their ribs.

Mr Bradley: And their ribs, from hugging each other and having their groups that agree with them hug them.

Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations): Boy, do you ever sound jealous. You just woke me up.

Mr Bradley: The member for High Park-Swansea intervenes. I well recall a member of the family served with him 1977 to 1981, Ed, brother—

Mr Stockwell: Brother-in-law.

Mr Bradley: Brother-in-law. Very colourful member of the Legislature and I know he made some of the same arguments that the member for Hamilton Mountain, who sits in the House today as government House Leader, made against many of the policies that are now being brought forward. So the world does change—

Hon Mr Buchanan: Let's go on to pensions.

Mr Bradley: The member for Hastings-Peterborough wishes to go on to pensions. I could speak about agriculture and its relation to power but I won't do that this evening. I will not get into that but I do have a couple of

issues I'd like to canvass with him, perhaps during the supply motion. I do like to see a lot of discussion of these issues.

We used to have a select committee, members will recall, on Hydro affairs. I actually think select committees are very good in that there's a focus on a specific issue and some members can become expert. I substituted one summer on it and found it very fascinating. We were dealing with Pickering at the time and the nuclear generating station at Pickering and some of the problems that were there. I had someone who was supplying me with some considerable information that was very good for that committee at the time. My friends in the New Democratic Party were also discussing it; another government was in power then, the Conservatives. I thought that was a very useful committee. It got disbanded. I don't know whether it got disbanded under the Liberals or the NDP but it got disbanded. I think when you have those kinds of committees they can be very constructive. It also keeps Hydro on its toes. I think some of the work the government has undertaken today flowed, to a certain extent, from some of the investigative work that was done in committee in those days.

I join my colleague the member for Renfrew North in expressing support for this legislation—cooperation, as always, from the opposition, in attempting to accommodate this kind of legislation and expressing a sense of relief that I have not had laid on my desk today yet another closure motion.

The Deputy Speaker: Questions or comments? Any further debate?

Mr Stockwell: I will too be brief as well with respect to this piece of legislation. I spent a brief period of time in this place as critic for Energy about a year or so ago and I found it to be very interesting and certainly enlightening—no pun intended—to me with respect to the operation of Ontario Hydro and the players involved in that operation.

In fact, I was critic at the time this government announced the appointment of Mr Strong as chair of the large utility. I want to speak primarily to that in this piece of legislation. Let me just say, Mr Speaker, through you to the House today, I think, and I will go on the record, that he has done what I would consider to be a very good job in certain sectors within Ontario Hydro. There's no doubt in my mind, and I'm sure other fairminded thinking people out there, that he had a very monumental task in dealing with the debt, deficits and costs incurred by Ontario Hydro, plus he had a huge public relations problem. That public relations problem stemmed from the fact that I believe, under the NDP government, pre-Maurice Strong, there were increases of up to 40% in Hydro rates.

Hon Mr Charlton: About 30%.

Mr Stockwell: Okay, maybe 30%—in that 30% to 40% overall range. The difficulty was, during a recession, the businesses and private sector operators out there, and even homeowners themselves, were having a very difficult time making ends meet. They found it most unenjoyable and concerning to see Ontario Hydro whack up the price of hydro-electricity to them in the neighbour-

hood of 40%. Mr Strong went in there with a very difficult task at hand, I don't deny it.

Mr Arnott: He followed Marc Eliesen, too.

Mr Stockwell: Exactly, he followed possibly—as much as I like Mr Strong—he followed probably the worst chairman, I think, in the history of Ontario Hydro, Mr Marc Eliesen, who subsequently went off to British Columbia.

Interjection: What's happened there?

Mr Stockwell: They bounced him out of British Columbia Hydro and they've set up a little crown corporation for him to run with a group of small people and he got his membership for the fitness club out of that group instead of the government. But let me continue.

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Mr Strong had to face the very difficult task of dealing with the unions and cost overruns and the high cost of electricity, increased costs to the consumers and the private sector, and he took it on head-on. I remember sitting downstairs in the committee. I remember very well that day that the member from Renfrew quoted earlier. I was the caucus representative for the Conservative Party in that particular meeting. Mr Strong came in and I said: "Look, Mr Strong, I've got a question for you. The question is this. If you find these books aren't balanceable, if you find costs running wild and out of control, are you prepared to meet the union head-on and deal with the staffing concerns and deal with the cost of the payroll?" And he said to me, I will say, Mr Speaker, categorically: "Yes. If we have to lay off, I will lay off. If we have to reduce our payroll, I will reduce our payroll." And subsequently he did do just that. He dealt with the payroll, he dealt with the staffing concerns—at a cost, I might add, upwards of some billion dollars. But he did deal with it.

Some would argue with his methods, some would argue with his process, some would argue with his costs, but you can't argue with the fact that he did do it. And I will tip my hat to him. That was a tough thing to do and he did it. It was something that needed to be done. Successive governments had built up an absolutely grotesque display of bureaucracy at that place and it was absolutely feeding on itself. It was something that was necessary and should have been done and still needs to be done and continues to be needed to be done. And I don't care who wins the next election, be it the Liberals or the good guys, the fact of the matter is, it's going to have to be dealt with at that time as well.

Hon Ms Ziemba: Or the good guys: us.

Mr Stockwell: Or the NDP; I'm sorry. It will have to be dealt with at that time as well.

Why am I making this long-winded tribute to Mr Strong? Because I want to tell you this: I don't come at this with a jaundiced view. I come at this very fairminded because I think he seemed to have done what I think is a good job until his most recent escapades. I fear, personally, for this province and for the next government because I fear that maybe he's getting somewhat too big for his britches. He's decided that he's his own one-man show and he's going to beat the band to get the work

done and he now starts thinking the press clippings about him are right. I get some real concern about that.

When you read in a newspaper in the province of Ontario that they're at the OEB and they're going to measure whether or not we should be having the outside expenditures into the international markets, and you see things like this in the paper: "Ontario chairman Maurice Strong says the utility will abandon its international operations unless given greater freedom, such as power to make foreign deals without cabinet approval," doesn't that frighten you people? Doesn't that scare you a little bit? Here's a gentleman who sits at his office and says if anybody in this government, anyone at the cabinet, anyone in the corner office decides to question any of my deals, I'll quit; we'll shut it down. That's concerning to me. That was in the Star.

He goes on. In the Globe and Mail:

"Ontario Hydro chairman Maurice Strong has threatened to pull the plug on his \$200-million international investment program if the utility's offshore activities are constrained by new provincial government regulations.

"I am not prepared to be party to having Ontario Hydro limp lamely into the international market with clipped wings, hands behind its back," Mr Strong told a regulatory hearing yesterday."

Now, government members, I say to you directly, because obviously this is something you have far more control over than, say, the plebes on this side of the House, I think possibly this guy is starting to think he's running the whole show. I think possibly this Maurice Strong guy thinks he can now make hundreds of millions of dollars of decisions of taxpayers' money and invest it offshore in Peru or Costa Rica or wherever he deems appropriate, and he says to we the elected sorts, "Whatever I decide, if you have the audacity to even question it, I'll pull out." I think this is dangerous talk, and it's dangerous talk from a democratic point of view. I think it's dangerous talk because we seem to be getting further and further away from those who are elected by the people and for the people to make decisions on behalf of the people. Because no matter how good Mr Maurice Strong happens to be or thinks he is, he wasn't elected. Those people who were elected, who must take responsibility for these offshore investments, still come to work here, still have a seat in this chamber and still, every so often, must go back to the people and defend their actions or inactions in hopes of being re-elected to this place.

This to me is dangerous talk and I think we should know this. I think when we have someone out there, as powerful and all-knowing as he may seem to be at times, suggesting that he is far more powerful and more all-knowing than those people who were elected and entrusted to be the stewards of the taxpayers' dollars, we may in fact have created a monster.

That's why I'm standing in my place today and that's why I started this debate off explaining why I think he is in fact a virtuous leader and a gentleman who could possibly carry through Ontario Hydro during one of the most difficult periods of time. But I will note: Be very,

very careful, folks, because it seems to me he's decided in his mind that he knows better than you and us, the elected officials. And I'll make this point once again. No one knows better than the people. We represent the people. Mr Strong does not represent the people, and if this member were anywhere near the cabinet table and this person said what he said, I would slap him down in one big hurry.

The Deputy Speaker: Questions or comments? Further debate? If not, the parliamentary assistant.

Mr Wayne Lessard (Windsor-Walkerville): There have been a number of remarks made on various topics somewhat related to this bill, I guess, this evening, but what I want to do in closing is really comment on what this bill actually does.

First of all, it makes it easier for 66 municipal electrical utilities to offer better service in their municipalities. This change is one of three that's included in the legislation. In most municipalities, local electrical utilities serve the urban areas and Ontario Hydro serves the rural areas, but there are 66 municipalities in which residents are served by both, because at one point the population density was too low for municipal utilities to provide service at reasonable rates.

Some of those areas have developed and the local municipal utilities want to provide service, but they were hamstrung because under the previous act they had to expand their service areas to the boundaries in one costly step. The Power Corporation Amendment Act allows them to expand in stages.

This change with respect to municipal boundaries comes after extensive consultations with members of the Municipal Electric Association and the labour unions involved. The change will benefit customers by eliminating the inequity of some neighbours paying different hydro rates and it will help improve service as one, not two, electrical utilities will serve residents and local businesses.

The second change to the act permits the crown corporation to enact pension fund changes which were negotiated in the collective agreements with Ontario Hydro and the Power Workers' Union and the Society of Ontario Hydro Professional and Administrative Employees. The agreements also provided for increased job security for union and association members for the duration of their contracts.

The third change allows the government greater flexibility by allowing it to appoint either the Hydro chairperson or president as the chief executive officer.

This bill should be welcomed by all those concerned. It's a pleasure for me to be able to speak in support of it and I'm happy to see that the two opposition parties are in support as well.

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The Deputy Speaker: Mr Lessard has moved third reading of Bill 185, An Act to amend the Power Corporation Act. Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

SUPERANNUATION ADJUSTMENT BENEFITS REPEAL ACT, 1993

LOI DE 1993 ABROGEANT LA LOI INTITULÉE SUPERANNUATION ADJUSTMENT BENEFITS ACT

Mr Sutherland, on behalf of Mr Laughren, moved third reading of the following bill:

Bill 107, An Act to repeal the Superannuation Adjustment Benefits Act and to provide for the transfer of assets and liabilities of the Superannuation Adjustment Fund Account to the Ryerson Retirement Pension Plan of Ryerson Polytechnical Institute / Projet de loi 107, Loi abrogeant la loi intitulée Superannuation Adjustment Benefits Act et prévoyant le transfert de l'actif et du passif du compte du Fonds d'indexation des pensions de retraite au Régime de retraite de Ryerson de l'Institut polytechnique Ryerson.

Mr Kimble Sutherland (Oxford): I'll keep my remarks very brief on this. I think most of the key points did come out on second reading debate.

Basically what we're doing here is continuing a trend that was started with the teachers' pension plan by the previous government, to bring them into a situation where they will be fully funded and reduce the unfunded liability over a period of time. The longer we wait to do this, the more it will cost the government, so there are great benefits by moving forward on this bill at this time. It certainly has the support of the fine folks at Ryerson Polytechnic University to move forward on this.

I also want to thank the opposition members who have been extremely cooperative in dealing with this piece of legislation in terms of the comments they raised on second reading.

The Deputy Speaker (Mr Gilles E. Morin): Any questions or comments? Any further debate?

Mr Sean G. Conway (Renfrew North): Let the bill pass.

Mr David Johnson (Don Mills): I'll try to duplicate that effort, almost, simply to note that this issue arose back in the 1980s. There were two funds, an index fund and a main fund, for the people at Ryerson in terms of their pension. The Treasurer of the day, Bob Nixon I guess it was, in the Peterson government back in the 1980s—what's that motion for? I'm not so sure I can interpret that—attempts to bring them together. But I guess in the rush to the election—there was an election somewhere around 1990, wasn't there, Mr Speaker? I wasn't here at that point, but they tell me there was an election in the province of Ontario.

Mr David Winninger (London South): The best thing that ever happened.

Mr David Johnson: The best thing that ever happened, say the members opposite. Well, there may be a difference of opinion on this side of the House.

At any rate, somehow it got lost. The government picked up the ball in 1992, and two years later we have now, with two days to go in the Legislature, the culmination.

We need to bring this index fund back into the fold, as it were. Otherwise, Ryerson will have to use operating funds to fund it or else they'll have to get more of a

contribution from the teachers at Ryerson, I guess, a contribution beyond that which they should be compelled to make.

I'll simply make those comments and note in passing that we've had a number of issues to deal with in regard to pensions. I recall when I was in East York as mayor, this particular government attempted to set up a fund to look at economic projects.

Mr Sutherland: That's right.

Mr David Johnson: The parliamentary assistant says, "That's right." Boy, did that ever send a shiver down the spine of the employees who relied on that pension fund. What they could see was the funds from the pension fund being used to finance risky projects that couldn't be financed otherwise. All heck broke loose, I know, at the municipal level. The employees at East York took up a petition. All who had their pension in OMERS were really concerned because they depend on that money when they retire after years of service. They didn't want their money put into some kind of risky venture. The government wisely backtracked on that. So there was that issue.

There was the issue of the deferral of the teachers' pension payments to make the books look better a year or two ago and, most recently, the splitting of the OPSEU pension fund, over the protests of the OPP and the management members.

We've had a number of pension issues to deal with. Most of them have been rancorous, I must say, but on this particular one, I am happy to say, we have agreement on all sides of the House, and with that, I'll sit down.

The Deputy Speaker: Questions or comments? Further debate? If not, the parliamentary assistant.

Mr Sutherland: Just a couple of comments to close: First of all, I think I kind of led the debate in second reading with some impression that there were maybe some political reasons as to why this didn't get passed back in 1989. Subsequently afterwards, as I followed up on that inquiry, the reason this one did take a little longer of course is because the government was not directly funding the Ryerson plan, as it was with the teachers' plan and continues to do in terms of making the contribution, so there had to be some more ongoing negotiation. It wasn't a question that it just got overlooked by the previous government. It was a more complicated situation in terms of how the government was going to resolve its contribution in the process.

Let me just make one other comment about the Ontario investment fund, because the member for Don Mills raised that. There was a great deal of concern and scaremongering going on about what was going to happen to pension funds even before any proposals and negotiations took place on what type of returns would be guaranteed to the members of the pension plan or what have you.

We hear all the time about a shortage of capital in this province, and opportunities to create some new pools of capital through an Ontario investment fund of a significant nature might have been a great opportunity. However, that is in the past and the government did proceed

with an investment fund of a much smaller nature that hopefully will create some new economic activity. With that, I close debate.

The Deputy Speaker: Mr Sutherland has moved third reading of Bill 107, An Act to repeal the Superannuation Adjustment Benefits Act and to provide for the transfer of assets and liabilities of the Superannuation Adjustment Fund Account to the Ryerson Retirement Pension Plan of Ryerson Polytechnical Institute.

Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

SECURITIES AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI SUR LES VALEURS MOBILIÈRES

Mr Sutherland, on behalf of Mr Laughren, moved third reading of the following bill:

Bill 190, An Act to amend the Securities Act / Projet de loi 190, Loi modifiant la Loi sur les valeurs mobilières.

Mr Kimble Sutherland (Oxford): Speaker, as you know, we did have a debate on this at second reading where different issues were outlined. Let me say as a general comment, I think there's overall consensus and support for the intent of this bill. The basic component of the bill is to give the OSC, the Ontario Securities Commission, the authority to establish regulatory powers. In the past, they have made regulations and rules but unfortunately, due to a court decision, it drew into question the authority of the securities commission to do that.

This legislation, for the most part, is trying to rectify that specific issue. It outlines specific procedures for public comment on proposed rules and regulations and sets out a schedule, I think, of some 46 items currently that will be, for lack of a better term, a kind of honeymoon for two years or whatever, a time that they'll go out for public comment and have some more input and decide whether we want to keep them in the exact same form.

There was one day of public hearings on this bill in committee. I think it was a good idea to have that one day. We heard from different people who had some concerns about the bill. Some thought the bill didn't protect consumers enough, some thought it gave the OSC too much authority, but I think the general consensus was that this was a good thing to go forward with.

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The securities dealers' association is a group that deals somewhat in penny stocks and it put forward a proposal called the equal rights amendment where the OSC would have to treat all dealers in penny stocks the same way. There was evidence put before the committee that both the Toronto Stock Exchange and the Investment Dealers Association of Canada are self-regulatory bodies, whereas the other bodies that have higher standards that they must meet, as set out by the commission, are not self-regulatory bodies and don't carry out their own compliance measures to make sure members are following the rules of the regulatory body. Therefore there's some sense that consumers need a greater deal of protection.

The "equal rights amendment"—and I say that in quotation marks because of how it's proposed—in effect, the evidence we heard was that the regulatory standards of the Toronto Stock Exchange and the Investment Dealers Association are far superior to anything the securities dealers' association has, and while they have a code of ethics and they have a customer's bill of rights, there isn't really any compliance component to those two things that the security dealers have.

I think it was good to have that one day and, again, I appreciate the good spirit of cooperation and support that's been demonstrated by both opposition parties and the critics on this bill. I look forward to their comments here on third reading.

The Deputy Speaker (Mr Gilles E. Morin): Any questions or any comments? Any further debate?

Mr Sean G. Conway (Renfrew North): My colleagues have, I think, spoken to this bill on an earlier reading so I just simply wanted to make a couple of comments. I profess no expertise except to say that I'm informed by my colleagues that this is good legislation that we support and that its speedy passage is in the public interest.

I guess there are just two points I would make tonight. One has to do with the regulatory environment of the mutual fund industry. I know that in recent times some of my constituents have presented to me some cases that gave me some pause as to just what kind of oversight there was of some of the behaviour in the marketplace. I presume the securities commission is going to, with this improvement and other reinforcement, be able to ensure that consumers out there are—and my primary concern here for the moment is the mutual fund sector; Mr Speaker, you know it a lot better than I—

Interjection.

Mr Conway: There may be more interesting conversations going on that I should defer to. But the constituents that I have had come to my office were very concerned about some of the activity in the marketplace around mutual funds. I know, in pursuing a couple of those constituent complaints, I didn't feel that there was, quite frankly, the kind of oversight that I would have expected.

I know there is a tradition of "Let the buyer beware," but when mutual funds were performing as well as they were last year, there certainly was a great deal of interest in perhaps some relatively unsophisticated consumers, new consumers of mutual funds, and the cases that I had brought to my attention gave me some pause as to some of what was going on out there in that marketplace.

So I'm hopeful that the securities commission will be emboldened to discharge all aspects of its mandate to ensure that Ontario consumers are, to the best of our ability, protected against practices that we would not condone.

I guess it also gives me tonight an opportunity just to rant a little bit about the press reports in recent days about the joyful activities at Confederation Trust. I see in the Star an ongoing series about just what was going on at yet another Canadian trust company doing business in

Ontario. I say it because it's, what, now 20 years. We've had Greymac and we had Seaway, we had Crown and Astra/Re-Mor. I know it's a big world out there and you can't guard against every contingency. But when I read Jonathan Ferguson et al in the Toronto Star, I just thought to myself, some of this conduct just looks outrageous.

A good friend of mine had some involvement with that whole Royal Trust situation of a couple of years ago. I say, perhaps to the delight of my friends on the treasury bench, that, you know, there are responsibilities in the marketplace. We're always getting lectures from the captains of finance. How many times have bank presidents and trust company presidents come to standing committees of this Parliament or to our national friends up in Ottawa and beat their breasts about the need to impose a kind of private sector rigour on the affairs of Parliament? That's always interesting. I've been so advised by a number of these people.

What's always struck me about the rape of Crown Trust or the pillaging of Greymac and Seaway and what I read recently about Confederation Trust, is that you'd say it just seems to be highway robbery in broad daylight. Some of these characters are well-known to be of questionable virtue, and the beat goes on.

I thought today, as I was reading some of this material, what it would be like to be an unemployed or an under-employed Canadian living in Hamilton, Ontario, or the Ottawa Valley and reading that the Royal Bank was about to report \$1 billion worth of earnings, and these characters at Confederation Life and Confederation Trust had almost joyously, pig-like, indulged in flagrant conflicts of interest, clearly not in the public interest.

I wonder, will there be an editorial? There might have been, and I'll stand corrected, but I fully expect that the Globe and Mail will soon, in an ex cathedra judgement, denounce the misconduct at Confederation Trust. I expect the Financial Post and people like what's her name, that wonderfully neutral—

Interjection: Diane Francis.

Mr Conway: —Diane Francis—I expect that they are going to want to point with great upset to this sort of misconduct. It is, I think, relevant to Bill 190 because there are a lot of people out there who expect that regulators, whether they be provincial or federal, are going to discipline, to the best of their ability, pirates from the kind of misconduct that we've seen too much of, quite frankly, in some elements of the trust sector, for which we have significant regulatory responsibility.

I know there'll be some of my colleagues who will say that I should go home and have a Valium, and I'll do that later, but I don't think we get indignant enough around here about that kind of thing. I remember looking at that Royal Trust business—when was it, a year ago, two years ago? It's the poor old taxpayer who gets stuck and stuck again for this behaviour.

And it's not just here. The savings and loan scandal in the United States represents one of the most pathetic failures of the US Congress and its regulatory instruments that we've ever seen in the free world, so-called. Gener-

ations of American taxpayers are going to be paying billions of dollars' worth of bailout to patch up and repair what was in many cases just an unbelievable rape and pillage of savings and loan, so-called thrift, financial institutions.

We like to believe in this more conservative Canada of ours that that's just the fast and loose American way of doing things, that we are just more small-t tory, particularly when it comes to our money. I remember those days when we were picking through the entrails of Greymac and Seaway and Crown Trust—in fact, one of the great memories I have of that situation—

Interjection.

Mr Conway: Have you got a problem?

Mr Sutherland: Keep going, Sean.

Mr Conway: Because if you do, I'd like to facilitate in any way.

I remember in the Greymac situation, we had in my town of Pembroke the Province of Ontario Savings Office selling Greymac paper well into the public controversy. I remember it was amazing that government officials at the time didn't think there was really anything they could do. Can you imagine? I remember I had a group of senior citizens coming into me wondering about their situation because they had a GIC from Greymac or Seaway Trust they had bought at the Ontario savings office. You know, Main Street, not wrongly, assumed that if the government of Ontario bank sold it to them, surely the government of Ontario must have been relatively comfortable with it. That was a great revelation to people in the Ministry of Revenue at the time. They had some very interesting arguments about it.

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I remember when poor old Bob Elgie was picking through the entrails of the rape of Crown Trust by some really interesting characters. I mean, you talk about the Pirates of Penzance. I think it was about 40 days. That's what it took to really clean out the great dowager of the Canadian or Ontario trust industry, Crown, and when you went in and looked at it after the fact, it was unbelievable what had happened. That was 10, 12, 15 years ago.

On the weekend I was reading in the Toronto Star what had gone on at Confederation Trust and Confederation Life, and, you know, times are different. The poor old taxpayer's had it to here with people who get paid a big buck to perform an important function, regulate and oversee the behaviour of banks and trust companies, and I do not nor do my constituents expect perfection, and maybe the Toronto Star series on Confederation Trust and Confederation Life is just all a fiction, but I rather believe it isn't. I must say that I, as one member of this Legislature, and a growing number of my constituents are getting fed up with people who are being well paid to perform this kind of regulatory function in a vital and sensitive area, like the securities business and the trust sector, and they are then told that the unbelievable seems to happen.

Again, we've always got to make allowances for those situations that every so often you read about. Good old Harry has been at the bank for 30 years and he's appar-

ently of unimpeachable character. What nobody seems to know is that Harry's had a real gambling habit that nobody knew about and Harry was sort of stealing from the till, and he's found out after hundreds of thousands of dollars have been pilfered. We've all read those stories. They don't happen very often, and they do happen. It's humanity. You've got to make allowances for that kind of human failing.

But what I always marvel at, and it was struck again on the weekend reading about Confederation Trust and Confederation Life, conflict of interest all over the place, people clearly abusing their positions of responsibility and positions of trust. The former federal regulator, Mr Mackenzie I think his name is—is it Mackenzie? I can't remember. Sounds right. John Palmer's predecessor, at any rate. You now see, after the fact, oh, yes, all kinds of memos to file, trouble, trouble, toil and trouble, more trouble, a pattern of these shady characters up to their standard works. The only people who don't seem to ever hear about this are poor old Joe Q. Public in Owen Sound or in Wiarton or up there in Marmora, and you know, they're not laughing any more, because they are the ones who pay the bills.

I go back to the savings and loan fiasco in the United States. The Bush boys and the Keating five, that gang, some of them are still in elected office, if you can believe it, but it's the poor old taxpayer who is stuck for more and more.

I know you, Mr Speaker, did very well in the financial services industry because you brought not only your industry and your humanity but your unassailable integrity, and there is an expectation that while not everyone is going to reach the Everest of your standard, there is going to be good behaviour and good intent.

I resume my seat by simply saying I'll support Bill 190. I'm told it's a good and proper thing to do, and I'll expect these good men and women at the securities commission, just as I would expect these men and women who are supposed to be regulating the likes of Confederation Trust and Royal Trust, are in fact going to improve upon a not very good record in the face of some very powerful evidence that something wrong was afoot in the state of Denmark and the province of Ontario and that governments, employees' regulators, who do not live up to the standard will perhaps exact—will; not just perhaps, but will exact—a higher level of accountability so the public might actually get, once in a while, a sense that heads will roll, and not just uphill.

The Deputy Speaker: Questions or comments? Any further debate?

Mr David Johnson (Don Mills): I don't know Harry who works at the bank so I'll have to defer on that particular analogy, but I do know that the one-day public hearing we had on this particular issue, Bill 190, was most instructive to me. I appreciated it and I was considerably enlightened.

One issue that I think came to the fore concerns the fees charged by the OSC and the regulatory power, or perhaps I should term that the enforcement power, of the OSC. This came forward as a great concern during the course of the day. I just want to speak to that for a little

bit, and a couple of other items, and then I think we can dispense with this bill.

The Toronto Stock Exchange, for example, made a deputation and perhaps quoting from the TSE, they indicated that the TSE wanted an opportunity to make one vital point, "the crucial need to increase the resources of the OSC enforcement branch, which is currently seriously understaffed. If the OSC is granted the power to establish rules and standards of conduct, it must have the ability to enforce these rules."

This bill, Bill 190, is granting the Ontario Securities Commission the power to make those rules.

"Currently"—and now we're getting into the meat of the issue—"the commission can only deal with its top enforcement priorities—the most egregious cases. The TSE only has jurisdiction over its members. When other parties are involved in violative conduct, we rely on the OSC to take action. Many investigations conducted by the TSE dealing with significant problems such as insider trading and market manipulation and forwarded to the OSC for action simply cannot be followed up due to lack of investigative and enforcement resources."

What is being said here is that the Ontario Securities Commission does not have the enforcement power today through its funding to follow up on issues such as insider trading and market manipulation. That is a real concern to me, and I hope that's a concern to all the members of this Legislature, and in particular to the government. I think that's an issue that should be addressed.

What's happened is that there was a particular problem brought about by court cases, and the Ontario Securities Commission has found itself powerless to make rules. The government has reacted, after dealing with this problem through a study, the Daniels study, which was instituted in 1993 and is now being implemented through this particular bill, but there are broader issues that the Ontario Securities Commission is facing.

Those broader issues involve the enforcement of issues such as market manipulation and insider trading and other problems within the capital marketplace. Those are obviously very serious problems and should be dealt with. This bill that's before us today does not propose to deal with those broader issues. However, the deputants at the hearing have clearly indicated to us that those issues need to be dealt with and they need to be dealt with quickly to maintain the confidence of the market.

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The representative of the TSE went on to say:

"It is scandalous that Ontario investors are paying a fee of 50 cents per securities transaction, which was supposed to provide revenue to support the OSC in its role of protecting investors"—and protecting investors is the issue at hand—"and acting as the policeman of the marketplace, but notwithstanding the need to increase enforcement, to catch violators and prosecute them, the money is not being earmarked for this purpose."

Then the question would be, well, where is the money going? The OSC is charging fees. The OSC, through those fees, is raising some \$49 million in this year. Through the fees, the Ontario Securities Commission will

raise some \$49 million. It has an expenditure budget of some \$19 million, and the question is, where does the other \$30 million go to? That other \$30 million that's raised in fees: Where does that money go to?

Well, the answer is that the money is flowing into the consolidated revenue fund of the province of Ontario. In other words, it is raising funds for the province, the province is spending those funds on any sort of service, I guess, that's delivered by the province of Ontario, whether it's health or welfare or education or whatever, but the money is not all being used for the securities commission to tackle the problems it has.

I don't know if the securities commission would need all the \$49 million that is raised, but surely there is a problem when \$49 million is being raised and only \$19 million is used for enforcement and the rest is going into the general revenues of the province of Ontario.

I might say that that particular problem is not only noted by the Toronto Stock Exchange but that problem is noted by a number of individuals. I received a letter from the former executive director of the Ontario Securities Commission, a Mr Joseph Oliver. He actually wrote to the Financial Post to express his concerns on this issue, and in that letter he indicated, "The Ontario Securities Commission revenues, in the form of fees imposed on participants in the markets, including individual investors"—and that's a point perhaps to pause at. We're not just talking about companies, we're not just talking about large institutions, we're talking about individual investors as well. We're talking about people who buy mutual funds, people who buy bonds or common stock. Through their transactions, they're contributing fees, and those fees have increased by 133%, from \$21 million to \$49 million, in the past two years.

When the schedule was introduced, the current schedule introduced in 1993, the objective was to make the commission self-funding. In other words, the commission would pay for the money it needed to finance itself. However, obviously we've gone well beyond that to the position today that the securities commission is subsidizing the province of Ontario, and at the same time it doesn't have enough money to apply the proper enforcement techniques to tackle some of the issues that many people are concerned about.

Mr Oliver goes on to say, "As the government is doubtless aware, there is substantial doubt as to whether this level of profit is within the legal authority of the province, or rather is a form of illegal, indirect taxation."

What he's saying is that the \$30 million in surplus is a form of indirect taxation and may in fact be illegal. My suspicion is that if the government doesn't address this issue in the near future—and I feel fairly confident that this government isn't going to address it because we're probably going to have an election next spring before this issue will get addressed—the new government next year will have to address this problem or the question of whether this is simply an illegal indirect tax will become a major concern.

This problem has been also noted in the recent copy of—and I don't suppose members are too interested in it—the Investment Executive. The editor was kind enough

to send me a copy, the editor who was involved or, I guess, was following this particular issue. It's interesting that, just by coincidence, the issue on the front page of the December edition of the *Investment Executive* is this very same issue. The article starts:

"All across Canada there's increasing concern among investment dealers, lawyers representing issuers, the mutual funds industry and securities regulators that zooming compliance-related fees bear an increasingly remote relationship to the revenues funding securities commissions. The problem is most acute in Ontario where the fees greatly outstrip the expenditures of the Ontario Securities Commission."

Again, the rest of the money goes into the coffers of the province of Ontario to help offset, I guess, the \$10-billion deficit that we have this year; it makes a small dint in that \$10-billion deficit.

The article goes on to say that the origin of this problem lies in the mid-1980s when actually at that point the Liberal government here in the province of Ontario proposed a sharp hike in the fees to make the Ontario Securities Commission self-financing. At the same time, it promised to make the OSC self-standing—in other words, that it would balance the revenues against expenditures—but the understanding was not lived up to by the government and consequently we have the situation that occurs today.

I think that is the one key aspect, in a general sense, that came out of the one-day hearings that were held just this past week on the Ontario Securities Commission, that we frankly need to look at the financial ability of the OSC to regulate, to be able to deal with issues that come up, violations, accusations of insider trading, that sort of thing, because if the enforcement powers of the OSC are not able to address that and confidence is lost in the capital market system of the Toronto Stock Exchange here in Ontario, then this will have a great impact on the economy of Ontario, a great impact in terms of job losses. The capital market is so important to the financial viability of Ontario that this begs for action, and I do hope that the Ministry of Finance staff are listening to the message.

Although I think that was the main issue, I was very impressed with a number of delegations at the hearings. There were primarily two issues in terms of Bill 190 that we needed to deal with and amendments were considered for the two particular issues.

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One issue was put forward by the securities dealers. Securities dealers are traders who deal in penny stocks. I guess their history has been that they have raised a lot of money for what's called junior issues or resource issues, what we think of as the penny stocks. Many of the mining exploration companies have apparently had funds raised through securities dealers. There's been a service provided in that sense, but then the history is a little bit coloured from the point of view that, particularly back decades ago, some of the practices were deemed illegal. They were what I guess would be called boiler-room tactics. Pressure was put on people to invest. Investors perhaps didn't know what they were getting into. There

were accusations that people lost money, which I am sure is true, and there was a great hue and cry to clean up the securities dealers industry, which the securities dealers claim has happened over the years.

However, notwithstanding that, just more recently the Ontario Securities Commission implemented policy 110, which in the view of the securities dealers imposed more strenuous guidelines on the securities dealers than it did on the investment dealers, the investment dealers being the larger brokerage houses that deal in the broader market and the larger investments. Consequently, the securities dealers took the securities commission to court on that particular issue and won that case. That case has brought us to where we are today.

The securities dealers have attempted to implement in the legislation what they call the "equal rights amendment," and the equal rights amendment says that whatever policy or rule or regulation is imposed on the securities dealers also has to be imposed on the investment dealers, the dealers in larger transactions, the mutual funds and that sort of thing. All of the legislation has to be equal.

It sounds fair enough, but I was interested, not having great background in this issue, to hear on the other hand the investment dealers and the Toronto Stock Exchange and the Ontario Securities Commission give the opposite point of view, that there should be no amendment to Bill 190 to incorporate that equal rights amendment, that indeed there is a public process, there is an open and transparent public process and the bill itself should not be fettered.

Interjection.

Mr David Johnson: I'm being told by the member for York Mills to cut my deputation, but he can sit down and relax because frankly this issue was put forward. It may be dry, it may be dull, but it's very important to the securities dealers, so relax, Mr Member from York Mills.

I do want to put on record that the securities dealers are very concerned about having equal legislation, that they should be dealt with equally. On the other hand, the investment dealers and the securities commission feel that the legislation allows for that to happen through the public process. Through the approval process up to the minister that could happen. In addition, the investment dealers feel that their industry is regulated to a higher standard; it's self-regulated and they have higher standards.

Those were the two points of view and I think both parties put them forward quite well. The only other point of view that I think bears discussing at this point late at night when everybody's anxious to get home is the point of view put forward by Philip Anisman, who is a solicitor very involved with this whole issue. His point of view was that the Ontario Securities Commission achieves too much power through Bill 190 and that indeed there should be a provision for an appeal to a Divisional Court. He requested that we put that amendment forward.

I might say that there was one other deputation, from a Mr Bruner who supported Mr Anisman in that. I guess their concern was that the Ontario Securities Commission

could not only make the rules but would enforce the rules and that there should be a separation between an entity that can make rules and enforce rules at the same time. They felt that at the very least, if that couldn't be accomplished—and that is accomplished in the province of Alberta, I might say, or was at one particular time, although now I understand Alberta's looking at combining the two back into one aspect—there should be the opportunity to appeal the Ontario Securities Commission rulings to the Divisional Court. However, it was felt that with the transparent process, with the fact that there needs to be efficiency in the Ontario Securities Commission, the system the way it stands made the most sense.

Those were, I think, the main issues that came up. It was very instructive. I must say that all parties put their views forward most eloquently, much more eloquently than I'm able to do here this evening. But Bill 190, in its present form, is the outcome of that debate and the important thing. I don't think Bill 190 is perfect, but we need to go forward with legislation because we need to ensure that there's confidence in the capital market system here in Ontario. Having that confidence in the market system will ensure maximum investment in our economy and that will ensure jobs. That is the best way I can think of to a bright future in the province of Ontario. When all is said and done, I am going to be supporting Bill 190.

The Acting Speaker (Ms Margaret H. Harrington): I thank the member for Don Mills for his contribution to the debate. Are there questions or comments to the member? Is there any further debate on Bill 190? I'll ask the parliamentary assistant for any final comments.

Mr Sutherland: I just want to take a couple of minutes to respond to some comments that were made. First of all, I thank the member for Renfrew North and the member for Don Mills for participating in this debate and their positive comments towards the piece of legislation.

Let me make just a couple of comments. This piece of legislation, as I think we heard before committee, should be seen as a consumer protection piece of legislation, but it also shouldn't be seen as a complete review and overhaul of the role, the mandate and the principles of the Ontario Securities Commission, because this legislation isn't designed to do that. There are other issues around the securities commission. Some type of further review in the future may want to deal with and examine some of the issues that were raised by some of the people who came before the committee.

The member for Renfrew North talked a lot about Confederation Trust and Confederation Life. I just want to say, of course, that is a federally regulated area. But I think his overall comment was that as much as we hear that there needs to be less regulation so that the private sector can get on with doing its job of making money and therefore creating jobs, once again we've seen that there is a need for regulation because, time and time again, the private sector fails to regulate itself. Therefore, when it doesn't regulate itself in an appropriate way, what happens is that there are many victims out there, there are many people who get taken advantage of, who get hurt.

Then they come to government, seeking the government to do something about it after the fact.

That's really the reason. It's not because there are lots of bureaucrats just sitting here in Toronto who've got nothing better to do than, "Gee, I'm going to think up a new regulation today to make life difficult for business." That isn't the way it works. Regulations and legislation come about to respond to situations that have occurred, and I think the member's comments on that are well taken. Let me just say that I have personal experience with some of the problems the failure of Confederation Trust is going to be causing for people in terms of accessing some of their funds.

With respect to the comments from the member for Don Mills, I think those comments I just made about regulation are good for not only the member for Don Mills but his entire caucus, which constantly talks about how we've got to unregulate everything. There's still a strong need to have good legislation and a good regulatory framework and rules.

With respect to his comments about enforcement by the Ontario Securities Commission in the collection of fees, it's my understanding that the securities commission worked out a deal with some of the folks with regard to the collection of fees and fee increases, worked out a five-year deal. The fee increases would come at the beginning, and yes, the money does go to the consolidated revenue fund, but in terms of service and enforcement, those types of things would improve over the five-year period of the deal. I believe we are probably ending the second year of that five-year deal. So that provides a little bit of history on that.

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Again I want to thank everyone for their participation, and I want to make special note of Mr Philip Anisman, who made a presentation on some changes. I've not sat on as many committees as others, but for an individual to come in and provide as detailed an analysis of the pros and cons of a bill as this individual did, I've never seen anyone do that. I've seen organizations do it, but I've never seen an individual do it, and it was very impressive. I want to compliment Mr Anisman, who is very clearly a very articulate and very knowledgeable person on the whole issue of the securities legislation, and he needs to be congratulated.

But overall I think the key point here is this: that this legislation will allow the OSC to continue with its authority to make regulations and rules to protect the consumers out there and ensure that there is order to our securities market. That not only protects individual consumers but also continues to make our markets an attractive place for people to invest and put their funds, and that is very important for the long-term economic health of not only this province but, I would suggest, given the size of the Toronto Stock Exchange, the entire country. I appreciate the members who spoke, their support for the piece of legislation.

The Acting Speaker: Mr Sutherland, on behalf of Minister Laughren, has moved third reading of Bill 190, An Act to amend the Securities Act.

Is it the pleasure of this House that the motion carry?
Carried.

Resolved that the bill do now pass and be entitled as in the motion.

ASSESSMENT AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI
SUR L'ÉVALUATION FONCIÈRE

Resuming the adjourned debate on the motion for second reading of Bill 197, An Act to amend the Assessment Act / Projet de loi 197, Loi modifiant la Loi sur l'évaluation foncière.

The Acting Speaker (Ms Margaret H. Harrington): We are resuming the adjourned debate, and I believe at the time we adjourned the member for York Mills had the floor. Please continue.

Mr David Turnbull (York Mills): Is my mike on? Okay, here we are; we have power. I'm somewhat amused inasmuch as I was up for two minutes of debate on this subject last Thursday night, immediately before the midnight adjournment, and so I had to adjourn the debate, and then last night we only got around to continuing this debate with five minutes left on the clock, at five minutes to 12, and so I was absolutely astounded when somebody phoned up today and said, "What on earth are you doing holding up this bill?" Well, I've had seven minutes of debate. I think the whole reason for having this House is to get things on the record. So I will attempt very briefly just to summarize what I said before and then just add a little more.

The compromise that has been reached by the large and the small tenants of some 22 shopping malls in Metro is a compromise which is something between breaking down the assessment in those malls based on a square footage basis and on the market value basis. So it does demonstrate that indeed some sort of compromise along those lines can be achieved.

The fact that the compromise contemplates using square footage runs in the face of what, frankly, we have been told by many, many people in the past, "Oh, you can't use square footage as the basis for assessment." I would put it to you that perhaps it is a better way of assessing buildings, because it is constant. The only reason that you have to change assessment is if the building is increased in size, and so it is a much less costly way in which you assess, because the present market value approach—and indeed we are theoretically on market value at this time, even though we're on a 1940s market value, which is very flawed—the present system is incredibly labour-intensive. Because of that, I would suggest that is probably the reason the civil servants in the Ministry of Revenue are so attached to market value as a method of assessment, because indeed it ensures their jobs for a very long time, as long as we're on that system, because indeed you need to constantly reassess what the market value of buildings is.

I'm reminded of the fact that during the time the Liberals were in power a lot of smaller communities around the province went on to a new assessment on market value. In fact, many disruptions occurred because of this. In the Muskokas, indeed, the Liberal government

at the time passed a bill which mandated that Muskoka must do a reassessment after four years, which moved a substantial amount of the tax base from the existing dwellings to some of the cottage dwellings, which in fact were already paying more than half of the taxes, and they ended up paying a lot more.

That kind of volatility existed in Metro with the 1988 assessment, whereby if we had gone forward with the 1988 assessment, we would have seen enormous changes in some areas of the city. Those areas of the city that went up the most in that time frame in fact came down proportionately greater than the other areas that hadn't seen such great increases. There is the rub: It's too volatile. We find that we destabilize neighbourhoods, because as taxes go up, you will force people away from those properties.

This is what we saw as the danger that existed with shopping centres: that because taxes were going to rise so astronomically because it was going to be based—because of the court decision that I mentioned in the previous day's debate, we were going to see a huge amount of assessment going on to the small tenants, based upon the so-called market value of those rents.

Presumably, they were capitalizing the value of the rent as if notionally you could separate out the various components of that shopping plaza and sell off individual units, and that indeed would be the market value, by capitalizing the rent stream from the small tenants, which, on a square footage basis, was substantially higher than the large anchor tenants, which had the benefit extended to them by the landlord of lower rents as an inducement to get those anchor tenants there.

I argued the other night that we should not have a tax system that further seeks to compound that benefit and should be completely neutral to what the landlord is doing with such inducements. So, having established that you can in fact base the assessment or the apportionment of taxes to some extent on square footage, I would urge the government to do the right thing and look at the possibility of implementing a unit assessment scheme which would be completely stable and would be in fact, in administrative terms, a very inexpensive vehicle with which to administer the property taxes of this province and would not lead to the kinds of movements that we have seen of commercial tenants out of Metro to such places as Vaughan, which is very detrimental to the economic activities of Metro.

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I just wanted to get these few thoughts on the record. The government campaigned in the last election with a promise that it was going to start funding 60% of education through the province. They have failed to live up to that promise. Indeed, I think it can reasonably be said that they hit rather bad waters which were not all of their making and they inherited a mess from the Liberals. But nevertheless we still have this problem that we have not come to grips with, and that is that the property tax system existent throughout Ontario is out of date. It is very volatile and causes huge disruptions in business activities when you have these kinds of changes that were envisaged by the court decision.

We've proven with this compromise which was reached between the landlords and the tenants, the small tenants and the large tenants, that we can have some sort of compromise. Isn't it time that we move forward and try and extend that kind of spirit of compromise to all of the property tax system so that we can introduce a streamlined property tax system which will be less volatile and will indeed help the economic growth of this province rather than hindering it?

The Acting Speaker: Are there questions or comments to the member for York Mills? Seeing none, we're looking for further debate on this bill.

Mr James J. Bradley (St Catharines): I wanted to comment that while this bill does deal with Metropolitan Toronto, it doesn't deal with other parts of the province. Many of us have received letters from people in the various malls in our parts of the province who are concerned about the fact that they believe they are significantly overtaxed and that they will have a hard time continuing to be in operation in a successful way if they are adversely affected by future changes in tax policy.

The Pen Centre in St Catharines—that's spelled P-E-N, for Hansard purposes—is a place where people have written to me, smaller businesses, and said that they are having a potentially difficult time, that they wanted to see some changes in either regulation or legislation which would assist them in remaining viable as businesses. They've come through a very difficult recession, the worst recession we've faced since the Depression of the 1930s. Some of them did not survive. Many of them have survived, and they've done so, to their credit, through using their own genius and cutting some corners and doing some things that are rather innovative.

As you would know, Madam Speaker, being from Niagara Falls, there are people in Niagara Falls, no doubt, who are feeling the same concerns in the malls there. The shopping malls have their anchors, the Bay and Sears and Eaton's and the major stores like that, and they are surviving, albeit they have also faced some difficult restructuring as well. But some of the smaller shops look at the horror of some potential changes in assessment and say that they would not be able to survive.

I would hope that the government—I would have hoped, putting it in the past tense—would have initiated legislation to deal with those problems as well and not simply the problems of Metropolitan Toronto, which certainly are acute. The member for Oriole, as the Liberal spokesperson in that particular field, has raised on a number of occasions the concerns of those people. Indeed, she introduced a private member's bill which would deal with this—the government subsequently introduced a bill—because she was eager to see the government move quickly.

We have had some discussions taking place, somewhat of a consensus reached within the community that is involved in businesses in shopping malls in the province, particularly Metropolitan Toronto, and as a result we have this bill which, while not acceptable to everyone, is probably the best compromise that we can come up with at this point in time.

It really gets to the question and the issue of assess-

ment, municipal property assessment in particular. Increasingly, there is a resistance in our communities to increases in property assessment. What many communities are finding, and this is something that isn't widely known, is that a large number of businesses and individuals have simply been unable or unwilling to pay municipal property taxes. That has had a significant impact economically on various municipalities in this province, the city of St Catharines, the region of Niagara among those. In addition to that, there have been people who own businesses particularly who have appealed their assessment and in some cases have been quite successful in that appeal, and as a result again the municipality is left without the revenues it needs.

I notice that the Treasurer, now called the Minister of Finance, made an announcement this week on transfers, the reaction to which I found to be rather interesting, to say the least. I can recall when, being in government, if you gave anything less than 5% to the hospitals, the boards of education, the municipalities and various other transfer agencies, you were as a government being stingy, and there was often a hue and cry from these organizations which represented groups of municipalities, groups of boards of education, groups of hospitals, groups of other transfer agencies. As I say, 5% would be considered to be miserly. They were looking for 8%, 10%, 12%, and the members who now sit on the government side would rise dutifully to bring forward to the House the cause of those organizations and the government would have to recoil at the criticism that was directed at it.

Now, the Treasurer announced that they're getting nothing more this year, and I think I heard on the news the head of AMO saying he was relieved that he was getting nothing from the government, that there wasn't going to be a further cut. Of course, the Treasurer looked further. He wanted to find an enemy in Ottawa, and I have the photographs. It's really unfortunate that I have the photographs that were taken in China.

The Power Workers' Union wrote a letter to Audrey McLaughlin, and I think they were concerned about assessment as well. They said, "We are outraged at the attack you levelled at Canada's Candu program during your speech at the ONDP convention." I'm sure they were as concerned that John Murphy—by the way, I admire his public relations firm. He has excellent commercials. The political parties should look at those.

The Acting Speaker: We are getting back to this bill?

Mr Bradley: He has become a folk hero and I certainly admired him when he came before the committee. Perhaps you sat on the committee, Madam Chair, at that time. This particular committee was government agencies. I said to him at the time he came before the committee, and I wanted to ask him questions about assessment: "Mr Murphy, do you think that by appointing you to the Hydro board, this government is trying to buy your silence?" He said, of course, that was impossible to do, and I believed him. Subsequently, we have seen that he has certainly not been silent at the words of Audrey McLaughlin, the federal NDP leader. But I don't want to diverge from my discussion of this bill, because I know how important you think it is.

I have a photograph here. It has a smiling Bob Rae. I don't like using the words, because we're supposed to say "the Premier, the member for York South," but he's known popularly across Ontario—that is, widely across Ontario—as the Premier of this province. He is shaking hands with the Prime Minister. So I wonder, when I hear the Treasurer say, "Well, of course, everything that happens will depend on what the federal government does." I see a scenario coming. Perhaps you do as well. And that is the scenario that: "We will wait for the federal budget and then, instead of running on our record," that is, the NDP government, "we will run against the federal budget, or run against Jacques Parizeau, or run against the Americans or somebody, whoever's the enemy of the day, but we won't talk about assessment reform. We won't run on that issue of assessment reform."

If they did, they would know that they would want to do it in Hamilton. The member for Hamilton Mountain is sitting across from me. He has to be concerned about the merchants in the malls, in Eastgate mall and the new one, Maple Leaf mall, I think it is, in Burlington, in his general area. He has to be concerned. Niagara Square, Madam Chair: You would be concerned about that and the assessments in those areas.

2150

So while the consensus developed by this bill will assist those in Metropolitan Toronto, it will not assist those who reside outside of Toronto. I know the member for Welland-Thorold, at his folksy best, rails on against the Toronto-oriented government of which he is a part. I heard him refer to—I don't know what this means—pinheads or something in the Premier's office. I don't know what that would be. I know some of the people are fine people. They're former colleagues of mine in the House. But I remember he used that terminology of "pinheads." As I said, I don't know what that means. But his concern would likely be as well that in Welland at the Seaway mall they are not addressing the problems of assessment faced by small businesses in the Seaway mall through this particular bill which is before the House tonight.

Mr Sean G. Conway (Renfrew North): Which mall did you buy that new jacket at?

Mr Bradley: I was asked where I purchased this—

Mr Conway: No, no, the blue one. Or were you given it? That would be even better.

Mr Bradley: I will give a plug to Harold Nash of Jack Nash in St Catharines where I purchased that. But he is in a plaza; it may be somewhat different. The malls are really the ones facing the problems.

The Speaker's husband was a distinguished member of the regional council up to this year, a person I admired on regional council, many of the stands he took on regional council. He's in business now. I wish him well. I could give him a plug for his business. It's called Play It Again Sports, on Ontario Street in St Catharines, and I know that Dick Harrington will appreciate that plug this evening. But I know if he were at a mall, he would feel that he was being assessed inappropriately and would be

looking for some action in that regard.

But municipalities are facing a tough time, and I must say, with admiration, to the members who sit opposite: All the years I listened to whining, all the years I listened to criticism—the member for Don Mills, who was the mayor of East York at the time, I'm sure never felt the government was providing sufficient funds to assist his municipality, though I must say to his credit that I found him a good person to deal with as a municipal mayor. I must say that to—

Mr Conway: But you liked Hazel more. You and Hazel made a wonderful team.

Mr Bradley: Yes, well—but I must say he was not overly demanding. He was a reasonable person to deal with. But I'm sure he felt that the government of the day, because of the assessment problems he was facing, was not providing sufficient funds for his particular constituency, in that case the constituency being all of East York, of which he was the mayor.

That's my problem. I had a friend of mine, Dr Joseph Kushner, economist at Brock University, say to me one day: "The problem with you people is you believe that if you give them lots of money, they will love you, and they don't. They don't support you. They don't feel that you've done the right thing by giving them a lot of money, and you know if you give them nothing, they will appreciate it more." I think Dr Kushner was correct. Now, I know he will write to me if I am incorrect in quoting him, but he would probably say that is the case.

He is on St Catharines city council, so he sees that from the perspective of an alderman, as they still call them on St Catharines city council, and he sees it as a professor in the university. He's watched the transfers over the years and no one was ever satisfied.

The Acting Speaker: Would you relate this back to our bill tonight?

Mr Bradley: Well, that precisely deals with the bill, and the reason it does is because all of this is based on assessment. I believe there has to be an updating and improvement in assessment. The one thing people will tell you about municipal taxes is this. I used to make the argument in favour of putting more and more on progressive taxes. One tax lawyer once told me the one thing about municipal taxes is they're hard to evade. The rich people, the rich and privileged people who will be supportive of the—what do you call that revolution?

Mr Conway: The Common Sense Revolution.

Mr Bradley: The Common Sense Revolution. They would be the people who would know how to manoeuvre around the other taxes, but it's pretty hard to manoeuvre around municipal property taxes except by simply not paying them, and I know the people I represent would dutifully pay those if they had the wherewithal financially to do so.

So I say to you this evening that we will support this legislation, and I only implore the government House leader, who is a man of considerable influence on the other side of the House, that he persuade his Treasurer, now the Minister of Finance, as he is called, to implement legislation of this kind outside of Metropolitan

Toronto, and certainly we would welcome it, this specific kind of legislation, for stores within malls in the Niagara Peninsula.

The Acting Speaker: Are there questions or comments to the member for St Catharines? Any further debate?

We will call upon the parliamentary assistant for any final comments.

Mr Kimble Sutherland (Oxford): I want to thank the member for York Mills and the member for St Catharines for participating in this debate. Also I know the member for St Catharines was doing a very good job this evening at the press gallery function supporting the local charity. They raised \$2,700 for the United Way this evening at the press gallery auction, and I want to congratulate them. I think the member for St Catharines probably made the most significant contribution of any member, and he's to be congratulated for that.

Let me just thank the members for their participation and particularly the member for St Catharines, who seems to have a great knack of always tying in whatever the issue is, or attempting to tie in whatever the issue is, to points of concern in his riding or whatever. I was pleased to note he didn't ask for anything for any of his hospitals this evening. That must have been an oversight. At any rate, we appreciate his participation on the issues of assessment and his concerns in his area, and the member from York Mills.

To summarize again, this bill is something that has come about out of concerns that are due to specific situations here in the city of Toronto because a market value assessment has not been done in a long, long time. Certain factors came together where changes were being carried out in the assessment between large anchors and small anchors, and as a result of that, that was going to create a big burden for small anchors, some of whom were going to see up to 800% increases in their tax assessment.

The Ministry of Finance and its revenue people got involved and helped to facilitate a deal. This legislation is securing that deal, and I think most people think that's

a good thing as a way of helping the small business and a good compromise in the short term, and some issues will have to be dealt with in the long term.

The Acting Speaker: Mr Sutherland, on behalf of Minister Laughren, has moved second reading of Bill 197, An Act to amend the Assessment Act. Is it the pleasure of this House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

BUSINESS OF THE HOUSE

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): The business which we had agreed to pursue today has now been completed, and after reading the business for tomorrow I will move the adjournment of the House.

Pursuant to standing order 55, I wish to indicate the business of the House for Wednesday, December 7.

On Wednesday, December 7, we will give second and third reading consideration to certain bills, which will be listed in the business paper for tomorrow.

Following that, we will give committee of the whole consideration to Bill 174, the Endangered, Threatened and Vulnerable Species Act; Bill 152, the Loan Brokers Act; and Bill 183, An Act to amend the Municipality of Metropolitan Toronto Act. We will also give second reading consideration to Bill 179, An Act to amend the Highway Traffic Act, and Bill 192, An Act to amend the Highway Traffic Act respecting Firefighters.

Following that, we will give third reading consideration to Bill 197, An Act to amend the Assessment Act. We will then give second and third reading consideration to the Supply Act.

Business for the remainder of the week is under discussion between the three parties in the House and will be announced each evening for the following day.

I move the adjournment of the House.

The Acting Speaker (Ms Margaret H. Harrington): Mr Charlton has moved adjournment of the House. Is it the pleasure of the House that this motion carry? Carried.

This House stands adjourned until 1:30 pm tomorrow.
The House adjourned at 2201.

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No. 168A

N° 168A

ISSN 1180-2987

Legislative Assembly of Ontario

Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Wednesday 7 December 1994

Journal des débats (Hansard)

Mercredi 7 décembre 1994



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 7 December 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 7 décembre 1994

The House met at 1333.

Prayers.

MEMBERS' STATEMENTS

EMPLOYMENT AGENCIES

Mr Alvin Curling (Scarborough North): Today I rise to call attention to another broken promise by the Minister of Labour.

The predecessor to the present Labour minister promised to make changes to the law that regulates private employment agencies back in 1991. The legislation was expected to address discriminatory practices against visible minorities and women by employment agencies and employers who use them.

Employment agencies exist as private firms that help match qualified workers with employer specifications for jobs, but it has long been the practice of many of these firms to send candidates to job interviews based on pre-screening criteria by prospective employers that are not job-specific. The former NDP Minister of Labour promised to toughen the auditing of agencies in 1991, but now, at the end of the NDP mandate, that office has been silent on this issue.

I call upon the present Minister of Labour to uphold the promise to introduce legislation to stop unfair job referrals by employment agencies. The problem is too widespread to be dealt with by the existing legislation. The Minister of Labour must show leadership in this instance to help the Ontario workers using employment agencies find jobs free of discriminatory practices.

Your government, the NDP government, that is, has failed the people of Ontario again by not bringing about legislation that will help all. The employment equity initiatives have been just chaos, especially in the public service, where even the Ministry of Transportation and other ministries have shown the inadequacy of dealing with employment equity.

BOEING CANADA

Mr Leo Jordan (Lanark-Renfrew): The year 1995 will mark the 40th year that Boeing aircraft of Arnprior has supported the Canadian armed forces as a centre for helicopter overhaul, maintenance and modification. This facility also provides precision-machined metal parts for all models of commercial jet transports.

From their helicopter division, Boeing Canada produces the tandem-rotor Chinook, provides vital support for the Canadian Labrador search-and-rescue helicopter and produces the V-22 Osprey tilt-rotor airplane.

As one of the largest single employers in the Ottawa Valley, Boeing of Arnprior supports a labour force of more than 640 people. More than 1,700 Canadians pursue careers in aerospace at two major Boeing facilities, with a combined payroll of \$65 million. Over 130 North

American companies supply goods and services to Boeing operations valued at \$800 million a year.

These factors combine to make Boeing Canada and the Arnprior operation a major contributor to the world's aerospace industry. For these reasons, I call upon the federal government to consider the enormous economic impact of the Arnprior branch and give it a fair chance to bid on Canada's military contracts. To quote Al Johnson, director of the military program at Boeing, "[Our] major concern is that we [be given] the opportunity to bid."

I realize this is a federal jurisdiction, but they have asked me to assist.

GASOLINE PRICES

Mr Norm Jamison (Norfolk): A number of my constituents have been complaining about the abuses in gasoline marketing by the oil companies, and I must say they do so for good reason.

The federal government has just completed what I consider to be a whitewash study into price-fixing in the gas industry. Not a single consumer was involved in the examination of prices at the pumps. The people who buy gas had no input into the process driven by the federal bureau of competition.

Something is seriously wrong when gas prices rise as much as eight cents a litre just before a long weekend when consumers need to consume more gas—and when there is no corresponding hike at the same time in crude oil prices.

The federal government is responsible for setting laws that promote and ensure fair competition. There is a clear problem of abuse in gasoline pricing. One can't help but wonder if the Liberal government's report was somewhat influenced by the hefty contributions the oil industry made to the Liberal Party. Imperial Oil and Amoco donated some \$88,000 to that party in the last election.

The federal Liberals must undertake another examination of this issue. This time, they should consult consumers, the people who buy gas and who know there is a real problem with what the oil companies are doing.

Interjections.

The Speaker (Hon David Warner): The honourable member for Carleton East.

Mr Gilles E. Morin (Carleton East): Mr Speaker—

Interjections.

The Speaker: Order.

1340

Mr Morin: I hope you'll start the clock again, Speaker.

The Speaker: Would the member take his seat. Restart the clock, please, for one minute and 30 seconds; the member for Carleton East with his statement.

CHEQUE CASHING BILL

Mr Gilles E. Morin (Carleton East): Christmas is fast approaching. We know that for many families in Ontario the holidays won't be such a happy occasion. There will be few special extras because the money simply isn't there.

This government allocates millions of dollars every year to help the needy, yet it is obviously not very worried about where this money is going, does not care whether it is meeting its intended goal.

If this government were seriously concerned, it would have put a stop to the practice of charging fees to cash government cheques. It would have passed Bill 154; it would have listened to the members of its own caucus who supported Bill 154.

Recipients of social assistance continue to lose thousands of much-needed dollars. They are victims of both the cheque cashing operations, which prey on their desperation, and of this government's inability to respond quickly and efficiently to a problem which has plagued low-income Ontarians for many, many years now.

How can this government continue to condone such commercial activities?

LONG-TERM-CARE REFORM

Mr Allan K. McLean (Simcoe East): My statement is for the Minister of Health and relates to Bill 173, the long-term-care bill.

Art Bradford, past chairman of Information Orillia, says the long-term health plan, launched by the Liberals and carried on by the NDP, appears to be largely a civil service plan based on the idea of bureaucrats controlling access to services in a management area without recognizing that many communities are already well served by existing organizations.

Mr Bradford said Information Orillia provides details about nursing homes for the aged, residential centres, shared accommodation, home help via the doctor, the VON, Red Cross, toenail clinics and much more. The local organization shares information with community information centres in Barrie, Alliston, Collingwood, and they reciprocate.

Mr Bradford said it appears we will be entering a chaotic era in which existing organizations will be restructured, either partially or completely wiped out, and a health manager without the money to do everything currently being done will struggle.

Bill 173 will undoubtedly result in the creation of another bureaucracy for which more staff will be hired to provide services already provided by organizations like Information Orillia.

Mr Bradford indicates he is not optimistic about seniors receiving better service under Bill 173 than they currently receive. He suggests that supporters of Bill 173 are being unrealistic about the NDP government's long-term-care plan being nearly perfect.

Unfortunately, the government has brought in another in a series of time allocation motions and limited democratic and constructive debate on this controversial legislation.

COMPASSIONATE LEAVE

Mr Larry O'Connor (Durham-York): I rise today to inform the House that I will be tabling a bill entitled An Act to amend the Employment Standards Act.

The purpose of this bill is to allow an employee an opportunity to take an unpaid leave of absence in order to provide palliative care to a family member who is suffering from a terminal illness.

In the bill, the employee is entitled to return to work at their former position or, if it no longer exists, a comparable position. I see the employee being able to continue to participate in the benefits plan and have their seniority accrue as well.

My interest in this area came from my days on the shop floor of General Motors in Oshawa. On an occasion when I was filling in for the pension benefit rep, I had the opportunity to meet a fellow employee who was in need of some time to provide palliative care to a terminally ill spouse. This individual needed time to spend with his partner of many years—not to retire early to mourn forever at the end of his spouse's life.

To quote from a story that ran in Monday's Globe and Mail about doctors focusing on palliative care, "We tell people how to birth well," with such aids as providing "birthing suites and labour coaches, and 'we now have the knowledge to teach people how to die well.'" Let's not reserve that knowledge only for medical practitioners.

This morning I received a letter from the Community Hospice Association of Ontario in which it agreed with the principle of my bill. They fear the proposed legislation may be too rigid if an individual is forced to return to work just when the ill family member's need is the greatest.

As you can see, there are many challenges that need to be discussed during second reading debate and in the hearings which I hope will take place later on this year.

ONTARIO FEDERATION OF ANGLERS AND HUNTERS

Mr Frank Miclash (Kenora): I would like to draw the attention of the House to the very fine work of the Ontario Federation of Anglers and Hunters in Ontario.

The federation is the largest and oldest non-profit conservation group in the province, with over 74,000 individual members and 520 member organizations.

To deliver its principal message about the positive economic, cultural and biological benefits to hunting and fishing, the federation produces and distributes many excellent magazines, educational materials, and firearms and safety manuals. As well, its new TV show, Angler and Hunter TV, is seen weekly by over 15 million folks from across Canada and the United States. I know first hand that this is a very popular show in my riding of Kenora, where it's seen each Saturday.

The federation is involved in a great number of positive projects across the province which benefit the natural and human environments. Canada's largest-ever environmental campaign, Pitch-In, wetland preservation, government lobbying, firearms safety, hunter-land owner relations, and wildlife reintroduction programs are only a few of the projects that the federation operates.

The work of the federation cannot really be accurately measured in dollar terms, but the economic impact can certainly be measured. As we know, for every dollar spent on wildlife conservation programs, some \$4.50 is returned in government tax revenues alone.

I invite all members of the House to join me in thanking and congratulating the Ontario Federation of Anglers and Hunters for the fine work they are doing for wildlife throughout the province.

VOLUNTEER FIREFIGHTERS

Mr Bill Murdoch (Grey-Owen Sound): I stand today in support of my colleague from Wellington county, Ted Arnott, who on November 21, 1994, introduced a private member's bill to amend the Highway Traffic Act. The bill would allow volunteer firefighters the right to attach a flashing green light to their personal vehicles when responding to an emergency call.

Recently, the province announced green licence plate stickers to help identify firefighters arriving at the scene in their own vehicles. Stickers are fine; however, they fail to go far enough. A sticker will not alert other motorists to the emergency situation, whereas a flashing green light is easily identifiable as a signal for motorists to yield to an approaching vehicle.

To some of our urban counterparts, this may seem like an insignificant issue. However, with an estimated 400 firefighters in Grey and Bruce counties alone, flashing green lights are of great importance to safety and emergency response time in rural areas.

This proposal has been in the works for over two years, and in my riding two communities have decided not to wait any longer. The Markdale and Durham-area fire departments have already incorporated the use of green flashing lights to warn traffic and pedestrians of their presence in response to an emergency.

Posters such as this inform residents of the purpose of flashing green lights, warning them to pull over when approached by one. After all, the house volunteers are rushing to save may be your own.

Although the use of flashing green lights is new in these communities, I'm informed they have already met with success.

In light of this, I urge the government to move forward on this issue in order to improve safety and emergency response time throughout rural Ontario.

COMMUNITY OPPORTUNITY INNOVATIVE NETWORK

Ms Jenny Carter (Peterborough): I rise in the House today to pay tribute to the people in my riding who are successfully organizing a wonderful community economic development project, which has received significant funding from the Ontario NDP government through the Jobs Ontario Community Action program.

The Community Opportunity Innovation Network, in cooperation with 14 community partners, has designed a project that will assist low-income people in the Peterborough area and make important economic and social contributions to the region as a whole. Over the next 18 months, organizers estimate that 63 sustainable jobs will be created through seven community enterprises,

resulting in positive spinoff economic effects for the entire area.

These organizations have come together to initiate a community-owned and community-driven business venture by analysing and responding to the business and economic needs of the local area. For example, the project will work towards the development of a textile cooperative to address an existing bottleneck faced by local design companies. They're also looking at the creation of a re-use centre for building materials and are planning to develop a local native arts and crafts training program to include a camp and outdoor education centre based on traditional native principles.

I want to thank those involved in this most exciting project, especially COIN president Warren Northcott and manager Kevin Edwards. Commitments of time and money have come from individuals, businesses, publicly funded organizations and the provincial government alike. I'm very proud of this government's support of this kind of collective entrepreneurial spirit.

1350

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): I'd like to seek the unanimous consent of the House to make a few comments about one of those who serve us here in this assembly.

The Speaker (Hon David Warner): Is there unanimous consent? Agreed.

TOM STELLING

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): I understand we are a few days or about a week late, but I want to make a few comments today about our Sergeant at Arms, who I understand celebrated his 25th anniversary as the Sergeant at Arms last week.

For those of us who've been around for a while, Mr Speaker, as you will know, there are probably only one or two members left in the House who have been here longer than Tom has been in that chair. For most of us, he has been an institution here who, in many respects, has helped us to get to know this place. He's helped us in a very friendly way. He's a very friendly gentleman, as you know very well.

Before he became Sergeant at Arms, he actually worked here for a while. He worked in the government news clipping service and he later became a messenger with the Clerk's office. He left the Assembly for a while to work at the registrar general's office and then he came back to become an attendant in the Clerk's office before becoming the Sergeant at Arms here.

He's one of those very distinguished looking characters, but he's also one of those people who has a great deal of depth in his character itself. He is one who deals well with all of the members of the House and who has befriended many of us on all sides of the House.

We got some interesting comments from some people around the building about the Sergeant at Arms. These are the kinds of comments that make you think about what you really know about an individual. For example, I was told that his hobbies were skydiving and parachut-

ing. I've never been able to picture the Sergeant at Arms in that kind of a situation. On the other hand, I know that the Sergeant at Arms, for hobbies, very much likes an occasional drink of single malt Scotch, a good Cuban cigar and, from time to time, even a good game of poker. There are obviously things that different people learn about individuals whom they work with over the years.

Tom also knows the building extremely well. I think probably Tom himself could have designed the renovation work that's been going on here over the last number of years, because he probably knew where every leak and loose nail and so on was. He has a lot of interesting stories about a number of the artefacts and carvings and paintings and so on around the premises.

He also has a whole range of very interesting ghost stories that he tells, I would imagine, mostly to school children. But none the less, they make for interest around the folklore about this place.

Tom Stelling is an extremely important part of the operation of this assembly, as you know very well, Mr Speaker. One of my staff suggested to me this morning that I might want to say this afternoon that you could really tell when the session was finally seriously under way when the Sergeant at Arms threw out the first member.

Having said that, our congratulations to Tom for 25 years of very excellent services as Sergeant at Arms and for a number of more years in addition to that of serving and learning the processes around the Legislative Assembly. Tom, I somehow have a feeling you'll be here for a number of more years yet, but we appreciate your service and we thank you for it.

Mr Sean G. Conway (Renfrew North): My colleagues and I want to join with the government House Leader and all members of the assembly in paying tribute to Mr Thomas Stelling for a quarter century of stellar public service.

I knew Tom Stelling when his hair was as black as Gilles Morin's boots. I knew Tom Stelling before there was a crease of worry across his youthful visage, and today, after 25 years, we can see how the burdens of public service have altered his countenance and his hair colouring.

Actually, the Sergeant at Arms is the only landed sergeant who gets to wear an admiral's hat, and he wears that hat with no little bit of style. But I speak for a lot of members, probably most members, when I say that the Sergeant at Arms in this place, despite the daily pomp and circumstance in which he has to indulge, is known to all of us for one of his more basic responsibilities, and that is showing delinquent members the door. Tom has done that for many a year with aplomb and with great effect.

Will he ever forget—because I know I won't and I'm sure the member from Manotick won't—those days when Tom was beginning his career as Sergeant at Arms, bringing Frank Drea to some order as he escorted the colourful former member for Scarborough out the door, and I think on one occasion inviting the late member for Sarnia, my colleague Jim Bullbrook, to a duel just outside

the door. Tom not only showed them the door but arbitrated a peaceful settlement to what looked like something of a difficulty.

There was that famous night, and I'm sorry the member for Sudbury East is not here, when her father—Tom, will you ever forget the night when Elie W. Martel—

Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs): Let's talk about Eddie Sargent.

Mr Conway: I'm coming to Eddie, believe me. I'm going to be very ecumenical, I can assure the member for Lake Nipigon. The night that Terry Jones in the chair, Nick Leluk in that very seat over there and Elie Martel a couple of seats away from where I now stand got into a really good late-night dustup—it was, I remember, the night of the chiropractors' dinner, always a night of some significance in this chamber. I have to say, to be again bipartisan, that night, as Elie made one of his great parliamentary flourishes—well, I won't say any more than that except that it was a great night—Tom Stelling, with the able assistance of Dr Robert Elgie, showed Elie to the door and to a happier place.

Then of course—I think Ross was here that night and he will remember it perhaps even better than I—that was the night we all agreed that Bob Rae was probably not the solution to the problem of the moment and Bob Elgie was called for and did a wonderful job, but again under the capable leadership of our Sergeant at Arms.

If Tom Stelling had a dollar for every time he had to show Eddie Sargent the door, he long ago would have retired to not just one motorcycle, but perhaps several. I think the current Premier and I have the distinction of being taken out of here by Tom one afternoon and being brought back in just a few minutes later, which is I think a feat that no two other members in my 20 years can claim.

So Tom, for all of those wonderful memories, those great parliamentary feats, we thank you. May your next 25 years be as productive and as interesting as those which we properly celebrate here this afternoon.

1400

Mr Norman W. Sterling (Carleton): Much has been said, and I don't know what is left to be said. Sitting only 15 feet from the man himself who bears a very large sword, what does one say but nice things? I've crossed swords with Tom on a number of occasions. However, he's never had the opportunity to take me from this place and I say with some pride that I have never had the opportunity to be thrown out of the Legislature.

One of my first encounters with Tom is that Tom has a name very similar to my last name, Sterling as opposed to Stelling, and when I was first elected I used to get a great number of Christmas cards to Tom Stelling. This wouldn't have been as disturbing as it was to me, as a man of the people, as an elected politician, but he was getting more Christmas cards than I was.

Mr Stelling has lived through some very important times in our Legislature and has served us well in terms of trying to grapple with an ever-increasing problem

related to security. I guess one of his greatest accomplishments over the past 25 years has been the fact that we have never had a major incident in this Legislature in dealing with a really very serious threat to the security of our members or our staff in this building. We have had some threats, but always those threats have been diverted or taken care of by both Tom and of course the OPP and the security staff who serve us so well in this building.

So, Tom, I say congratulations to you on your 25 years of service to us and thank you very much for taking care of us so well.

The Speaker (Hon David Warner): Parliamentary practice prevents the Sergeant at Arms from having an opportunity to respond to the kind comments made by the members this afternoon. With your indulgence, if I may on behalf of the Sergeant at Arms thank the government House leader and the member for Renfrew North and the member for Carleton for their kind and thoughtful comments directed at one very special person who has served and continues to serve this assembly with great loyalty and great distinction. For that, sir, all of us thank you.

ONTARIO HUMAN RIGHTS COMMISSION

The Speaker (Hon David Warner): Yesterday the honourable member for Mississauga South, Mrs Marland, rose on a question of privilege in which she alleged that her privileges had been breached in that the Human Rights Commission had denied her request to make oral submissions on behalf of one of her constituents before the commission.

The honourable member will know that the parameters of parliamentary privilege are very narrow and were only intended to protect the activities of members while carrying out their legislative duties in the chamber and in its committees. I therefore cannot find any *prima facie* case of privilege. However, I do thank the member for bringing this matter to the attention of the House and to the attention of the Speaker.

ORAL QUESTIONS

SPECIAL SERVICES AT HOME PROGRAM

Mrs Lyn McLeod (Leader of the Opposition): My first question is for the Minister of Community and Social Services. I know that all members of this House are saddened by the tragic circumstances surrounding the death of a mother and her 16-year-old son on Monday in Hamilton. The tragedy has focused attention on what has been a long-standing issue, the provision of services to families with disabled children who are living at home. This issue is long-standing; in fact we have raised this issue at least 30 times in the Legislature over the past four years.

Approximately 10,000 families rely on the special services at home program. It's estimated by the Special Services at Home Family Alliance that approximately 2,000 families are either on a waiting list or appealing for more assistance under this program. In my own home community of Thunder Bay, there are 57 children on a waiting list for the special services at home program. Another 40 families have applied for more funding.

I know, Minister, that you have been hearing from

these families, as I have been. I believe it is important today that you send a message of hope to families who are on waiting lists or who are appealing your ministry's decisions. Will you instruct your officials to review their caseloads to identify other families that might be in crisis? Are you prepared today to take immediate action to avoid further tragedies?

Hon Tony Silipo (Minister of Community and Social Services): I appreciated the way in which the honourable Leader of the Opposition went into the question. I have to say that I was a bit perturbed towards the end of her question when she made a link between the tragedy, and potentially further tragedies, taking place and the issue of funding under this service.

I've tried very hard, as difficult as this issue is—and our heart goes out to the family and our condolences certainly go to the family—to be clear that we have no indication at this point, other than what has been speculated about in the press, that there is any link between the issue of the level of service that this family was provided and the tragedy that occurred earlier this week in Hamilton.

I think it's important that all of us continue to maintain that approach. There is a police investigation going on. That will determine, to the extent that they can, what happened. There is a coroner's inquest that will be held, and that will address those issues.

With respect to the broader issue, if the member wants to pursue that, I'm very happy to say that certainly that's an issue we should discuss. Let me also say that we believe, and I believe as minister responsible, that while we have done a lot in this area—and we have done a lot in terms of the amount of money that we've increased spending by under special services at home; we've in fact almost doubled the budget in that area in the last four years—

The Speaker (Hon David Warner): Could the minister conclude his response, please.

Hon Mr Silipo: —we also believe that more needs to be done, and that in fact is the direction that we have been pursuing, certainly over the last number of months.

Mrs McLeod: I indicated that this is a long-standing issue and one which we have raised, as I said, at least 30 times in the House. I believed it was important to raise the issue again today. It's sometimes sadly true that it takes a tragedy to bring an issue forward as a priority. While I don't make a direct link, Minister, I think you know that the families who are caring for severely disabled children at home are under enormous stress and deserve all the support we can provide.

I was concerned with a quote that was attributed to one of your officials in the media today, that there is an expectation that a family which is receiving this kind of support service will also "have taken advantage of other services available in the community."

It is clear, we know from that quote and we know from situations we've all dealt with in our own constituency offices, that these families are being asked to go not just to your ministry but to the Ministry of Health, to the education system, and to check with hospitals just in

order to somehow put together the kind of adequate package of support that they need in order to be able to provide the care that's needed at home.

Minister, we're talking about parents who are living and working constantly with the stress of having to provide for the needs of severely disabled children. How can you expect parents to have to search through a maze of bureaucracy in order to get the kind of care that they need? How can you expect that of them when they are already living with the stress of dealing with their children?

Hon Mr Silipo: I think it's important that we put the issue of the special services at home within the context of the broader range of supports that are provided. It is but one of a number of services that are available to families, and together with other services such as intervenors or other supports, it provides, therefore, a range of services. I would be the first to say that in fact there is also more that we can and need to do, and are trying to do, to better coordinate that range of services, and that is also something we are doing.

I can tell the honourable member that in fact in the policy work that we are doing now, which will result in a draft some time in the month of January of a policy framework, we are picking up on the kind of work that we have been doing as a government to move money from institutional settings into community settings, an initiative that was started by the previous Liberal government and which we were happy to support and continue and move even faster in some areas.

But I believe that we're now in the process and on the threshold of also redefining what we mean by "living in the community" and not just applying that concept to group homes but also the whole array of other supports that will allow and facilitate families to be able to take care of children with a range of developmental disabilities at home, for those people who want to do that.

1410

I've been very supportive of that direction. The policy direction that the ministry is undertaking will enshrine that as a direction that we want to go in. What we have to do is to have a way in which the funds—

The Speaker: Could the minister conclude his reply, please.

Hon Mr Silipo: —can also flow in that direction and a better coordination of services that will also address the issue of the stress of families, which we believe is also an important problem that needs to be tackled and resolved.

Mrs McLeod: Minister, that's a very frustrating answer for me to hear today, because you're absolutely right: There is a range of services out there for children and families, but there is no coordination of those services and families do not know how to access the services. The reason your answer is frustrating for me is that it was November 1990, four full years ago, when your government tabled the Children First report, which clearly sets out the need for coordination of children's services.

Since that time, there have been two legislative committees that have offered details of action that needs

to be taken to provide more at-home services. The recommendations for action have been absolutely clear, they've been clear for at least four years now, and for you to stand up in the House today, four years later, and tell us that you are looking at bringing forward a policy framework is just simply not good enough.

It is clear what needs to be done. There has to be better coordination of services, there have to be guarantees of long-term funding so that families don't have to live with the uncertainty of reapplying every year for the support they need, the government has to ensure that the services are consistent across the province and you have to ensure that if people move within the province of Ontario, they don't have to reapply for services.

Minister, those recommendations have been there. There has been no action taken by your government and I have to wonder where children have been on your agenda. Are you now ready, not to bring us a policy framework but to take action on these recommendations and this issue?

Hon Mr Silipo: The policy framework that I referred to will in fact be the action of the government. It will continue to build on the actions that have been taken. It will respond to the review that we have taken on special services at home and it will, among other things, make it clear that parents will not have to go through a process of reapplying year after year. That's something that we've heard and are going to be responding to.

That also will deal with the issue of people moving from one part of the province to another and being able to carry that allocation of assistance with them, and many other issues that have been raised. It will build on the kinds of things that are in the present policy framework, which has been the guide for this ministry and for the ministry even under the previous Liberal government. I think we have managed to move the yardstick along quite significantly.

I would also just say, in conclusion, that when the member talks about there being no coordination of services, she fails to notice the many initiatives that are under way across the province through community-based agencies that are doing exactly that coordination of service. But more importantly, I think she hasn't heard what many families with children being served under special services at home are saying, which is that they don't want someone else to coordinate the service; they want to be able to do that themselves. Our challenge is to be able to respond to that issue as well as the greater coordination of services that we need to have across the system.

The Speaker: New question.

Mrs McLeod: You had opportunity over a lengthy period of time to deal with a family who wanted to be able to coordinate services for themselves. It was not easy to do under this government's framework.

DANGEROUS OFFENDERS BILL

Mrs Lyn McLeod (Leader of the Opposition): My second question is to the government House leader, who has disappeared for a moment. If I may place my second question to the government House leader, as you well

know, today is the second-last day before the government plans to prorogue this House and literally to leave the people of this province in limbo.

For months now, all we have heard from this government is that it doesn't have any time left to deal with urgent and pressing issues. Apparently, the only thing they have time left for is to pass time allocation motions to ram their legislation through this House. In the meantime, there are at least, by our count, eight bills that are aimed at making our communities safer places to live and to work, and those bills are in jeopardy of dying on the order paper as of tomorrow.

The member for Mississauga North has a bill aimed at keeping dangerous sexual offenders off the streets. The minister knows this is a bill that is based on recommendations from the Christopher Stephenson inquest, and these recommendations are two years old.

The government has been advised by the Ministry of Health's director of legal services and by the former Deputy Attorney General that it is within Ontario's power to strengthen the Mental Health Act to keep our streets safe from sexual offenders. This bill does that.

Last week I asked the Minister of Health to urge you, Minister, to send this bill to committee for consideration and she refused to respond to the request. Minister, I urge you to move this bill into committee. I'm not asking you to commit to the bill; I just want you to give it a chance to be considered. Will you at least do that?

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): There are a number of things the Leader of the Opposition has included in her preamble and her question. She implied that somehow, when this session ends, the people of this province will be any more in limbo than they are at the end of any session, or at the end of the last session before the former Liberal government called its election in 1990.

She knows full well that this government has passed more good private members' legislation than any government in the history of this province, by some substantial amount. We take very seriously the business that private members bring forward in this House. She's right, there have been requests around the bills that she's mentioned today. There have been requests around literally dozens of other private members' bills that members have come forward with. We can't deal with them all instantly, but I have made the absolute commitment to the House leaders of both of the other parties that I will carry over any private member's bill that they request to have carried over into the spring session.

Mrs McLeod: My concern is with this government's lack of commitment to issues that matter to people. You have exhausted your agenda, you've run out of ideas, and yet you refuse to deal with any other concerns.

I'm not asking you, Minister, to deal with the whole range of issues which private members have indeed brought forward, but to focus at least on those pieces of legislation which would address people's very real concern about safety and security in their communities. I believe that's an important piece of business for us to

be working on in January and in February, until such time as this government decides what we are about to do.

Last night in committee your members refused to allow the proceeds-of-crime bill that was put forward by a member of the third party, the member for Burlington South, to go to committee during the recess of the House. It's a bill that all three parties can agree deserves support, a non-partisan approach, but your members voted to defer further dealings with the bill until next spring when the House resumes.

But there is no date set for the return of the House. In fact, we don't even know if we're going to be coming back. You have no bills to go to committee in the inter-session. There is no reason for blocking this particular bill and there is no reason not to be back here in January and February to deal with it.

I'm asking for unanimous consent of the House so that we can have this bill go to committee, so we can hear from the public, so that we could get the bill passed. Will you agree to this, Minister?

Hon Mr Charlton: The leader of the official opposition seems to suggest that some private members' bills are much better than others, that some of her members who bring forward private members' bills bring forward bills around which nobody in the province has any concerns. I don't happen to believe that's the case.

Having said that, I repeat: We are going through a debate this afternoon and tomorrow that will see five, six, seven private members' bills perhaps passed in their entirety and become law in this province, a record which is unprecedented, a record which the Liberals would never even consider approaching. For her to even suggest that we're blocking legislation, with that kind of a process occurring here today, tomorrow and ongoing, is just too much to take.

We have said to all of the members who have bills before this House that, in an orderly fashion, we're prepared to attempt in committees to schedule those bills. We're not prepared to see committees with all of the bills that have been requested for committee hearings travelling all over this province ad infinitum over the next three months.

1420

Mrs McLeod: It's not just my concern that makes certain private members' bills that deal with crime and safety important bills for this House to deal with. I happen to believe that the safety and security of our communities is one of the greatest concerns of people across the province. This isn't just my concern; it's their concern. I believe it's a concern that we should be dealing with in this House and I believe it's an issue on which we can do much more. That's what members of this House have been trying to do in presenting these private members' bills.

Minister, you don't have any new government business for the committees at all. I don't think the government has the will or the energy to deal with these issues that do matter to people, and there are at least six other bills that have been presented that are on the order paper that are aimed specifically at making our communities safer.

Yet in spite of having no government business to do, you're willing to let these all die on the order paper.

The member for St George-St David has two bills which would make our parole system more effective and more accountable to victims and the public. The member for Eglinton has a bill aimed at keeping killer cards out of the hands of children. The third party has three other crime bills that are worthy of consideration—all bills that speak to people's concerns about the safety of their communities.

The Speaker (Hon David Warner): Could the leader place a question, please.

Mrs McLeod: If you have no business for the House this winter, why not let these bills go forward? We're willing to cooperate and I'm sure the members of the third party would be willing to cooperate. If you have no solutions left, Minister, step aside. Let others get on with the business of helping the people of Ontario make their communities safer.

Hon Mr Charlton: I just can't accept the comments that the leader of the official opposition has made. First, the Leader of the Opposition suggests that this government had nothing left to do this fall accept time allocation motions. We've dealt with, in the last two weeks, four complete pieces of legislation, one of which happens to deal with making communities better, where three of our ministries got together and spent considerable time and effort putting together a piece of legislation which this House will pass tomorrow afternoon.

If I had seen any indication of interest in proceeding with some of the bills the member is referring to—like the fact that at least one of the bills she referred to in her first question today we have offered on two occasions to proceed with in committee and the member who is the sponsor of that bill said he was not ready to proceed.

As I have said a number of times here in the House, we have a better record on proceeding with private members' legislation than any administration in the history of this province and we will keep up that good work, and none of these bills will die on the order paper.

SPECIAL SERVICES AT HOME PROGRAM

Mr Michael D. Harris (Nipissing): My question is to the Premier, following on the deaths of Cathy Wilkieson and her disabled son, Ryan. This is a difficult issue, Premier, and I don't believe pointing fingers in this specific case solves anything. However, I think you would agree that if we don't learn from tragedy, we can't prevent another from happening.

I understand that two parents of disabled children, Steve Mahler and Gloria Christianson, handed you a package of information at your recent convention in Hamilton. They were urging you to reallocate \$26 million of existing funding to the special services at home program. Premier, you read this information. Did you not think that this \$26-million reallocation request was a higher priority than most other areas where your government currently spends?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I'm going to refer this question to the minister responsible.

Hon Tony Silipo (Minister of Community and Social Services): On the basic issue that the leader of the third party has raised around the reallocation of funds to special services at home, let me say to him very clearly that that's exactly what we have been doing. We have been moving year after year to add more money, not only into special services at home but into the whole area of services in the community. There were sums that come to mind of about \$29 million this year, an equivalent amount in the past year, and some of that money went right into the special services at home.

The member correctly talks about reallocating. That means reallocating funds that we are now spending essentially in institutions into the community settings, including, as I say, special services at home. That's exactly the direction that we're moving in. That's exactly the direction that we want to continue to move in.

We don't have additional funds that we can find and put into this area, but we have been very clear and we are going to be even clearer with respect to the new policy framework that I was referring to earlier, guiding the actions of the ministry in a clearer fashion very much in that direction, very much into saying that people should live in their communities, in their families, in their homes, where they can and want to live, and that we need to be supporting them in doing that. That's exactly the thrust that this government and this ministry want to continue to support, want to indeed enhance, and that's exactly what we're going to be trying to do.

Mr Harris: I'm pleased to hear in the future that's exactly what you're going to try and do. The member for Burlington South has a petition signed by Cathy Wilkieson and other parents who need home services, which they have asked him to present to you in the Legislature today.

We know, Minister, and to the Premier as well, that governments must make very difficult choices and that it is not easy, but we have heard your Premier in the last two years acknowledge that being all things to all people is long gone, that spending priorities have to be set. Clearly, your government has made a number of choices we've pointed out to you that we think were wrong priorities: half a million dollars to fight NAFTA, which was not in your jurisdiction; \$30 million on government advertising we've raised; \$75 million on the Interim Waste Authority; \$22 million to drive the private sector out of child care.

I have a letter here from Bob Rae to Mrs Carol Eaton, dated February 12, 1990. I don't want to read the whole letter, but part of it says:

"Thank you for your letter of January 31 concerning the special services at home program.

"I agree with you: The special services at home program is a necessity. Funding for this program and for programs like it should be stable and adequate."

You're not getting this from the Liberal government. This is Bob Rae in opposition. This is five years ago virtually now, February 12, 1990, this response. This is not a new issue.

At that time the Premier said, and certainly implied, it

would receive a far higher priority from New Democrats.

I would now ask you, Minister, on the \$26-million request—to take the budget of \$26 million to \$52 million was the specific request they've been asking for—do you honestly believe that this request does not have a higher priority than virtually most of the \$55-billion or \$56-billion or \$57-billion budget that your Treasurer is working on today? If you agree with that, will you allocate that money today?

Hon Mr Silipo: Again, I want to emphasize for the leader of the third party that we have been doing exactly that. We have been moving more funding into the special services at home. You can just compare: In 1990-91 there was about \$17.5 million that was being spent on the special services at home. This year there's \$30 million that's being spent. So we've almost doubled the budget during that time. But I will be the first to say that there's more that we need to do, and we are trying to see how much more we can do and how much faster we can move.

But that is very clearly for us not only the direction for the future but in fact is very much the direction that we have been pursuing and acting upon over the past four years that we've been the government. There are a number of improvements that we believe need to be made to the special services at home program particularly, and then to the whole array of services that are provided to people who want to be able to live at home and be able to take care of their children at home, and we believe very much that that needs to continue to be the direction that we move the system in.

1430

Mr Harris: The irony in the requests that the parents have brought forward is that by reallocating resources—and they have pointed this out. They tell you where to find the savings. For families trying to give their disabled family members a better quality of life at home, ironically, in many cases it is at far less cost to the government than the institutionalization of these family members. So it may come out of a different ministry, but it all comes out of the Treasurer's total budget.

Given this and given, obviously, that we've not moved nearly quickly enough in this area, I earlier today had a chat with the Premier to ask the Premier if he would agree during the intersession, when I think the House leader will acknowledge there's not too much happening during the break between now and the budget and the throne speech, if he would allow a committee of the Legislature to sit, have hearings, allow the families, the intervenors and the caregivers of disabled children and young adults to come before the committee early in the new year and allow that committee to make its presentations to the Treasurer in his pre-budget consultations.

I would like to ask you, Minister, if the Premier's had a chance yet to talk to you about this, if you would agree that allowing them the access to a legislative committee, allowing them full access to put their case of priority—

The Speaker (Hon David Warner): Would the leader complete his question, please.

Mr Harris: —against all of the others of the \$57

billion or so that the Treasurer will be looking at spending, if you would agree to do this, because they're confident and I am confident that if we will agree to do this, in fact the priority will shift from some of the other dollars that are being spent of the \$57 billion to make sure that we're providing the support necessary for caregivers to look after family members in their homes. Will you agree to that?

Hon Mr Silipo: Let me first say that certainly the issue of cost continues to be one, and in fact it is true that in a number of these situations it is less costly to be able to provide support in the families, which is exactly also why we believe it makes sense, and that is also why we've been moving the system more in that direction.

But we need to also understand that if the money is to be taken from people who are now being served in institutions, we have to be sure we have a place for those individuals, that we don't simply put them aside in order to serve someone else. That's the difficult process that we have been trying to grapple with, but I think our track record speaks volumes to how much we've moved the system along.

On the issue of having people have an opportunity to voice their concerns through a legislative committee, yes, the Premier has spoken to me about this. Let me say it's my understanding that there will be pre-budget hearings, as there have been over the last number of years since we've opened up the budget process. I would expect that through that process it would certainly be possible for people who have concerns around this issue, as well as other issues, to come forward and to make their views known to the Legislature through, I presume, the finance committee of the Legislature.

The Speaker: New question.

Mr Harris: Well, maybe we're gaining. Thirty minutes, though, is not going to be enough time for one presentation to the Treasurer. I'd ask you to reflect on the reply—

The Speaker: Is there a second question?

Mr Harris: —to make sure that there's adequate time provided to make the case.

Interjections.

TAXATION

Mr Michael D. Harris (Nipissing): My second question, Mr Speaker, and through you to all those members anxiously awaiting and calling out trying to do your job for you, is to the Premier as well.

Yesterday, Premier, you told Ontario's beleaguered taxpayers you will not cut their taxes. You say it cannot be done. Well, Premier, I say it must be done. You and the Liberals have raised taxes 65 times in the last decade, including 11 hikes to personal income taxes. I am simply proposing to take tax levels back to the point where they were in 1990, when the Liberals were thrown out of office for having taxes that high.

Premier, how can you possibly say that tax rates cannot be cut by \$4 billion when in fact you have hiked them by \$4 billion over and above the rate that the Liberals were thrown out of office for? How can you stand there and say that?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I'm delighted that the leader of the third party is spending time reading my speeches.

I would say this to the honourable member. I must confess to him that I find a certain irony in his presentation today. We all recognize that maintaining services is a critical part of our civility as a society. I would say to the honourable member that for the instance that he has raised today, as important and as dramatic as it is, I could point out areas with respect to health care, I could point out areas with respect to the needs that people have in our society, where there is definitely room for movement and for increased services for people.

I'm a simple soul, Mr Speaker, as you well know. I would say to him that when I hear people saying from his corner of the House, cut four or six or eight, or whatever number they choose out of the air, in taxes and don't relate that to the services that are being provided to the people of this province, they are trying to suck and blow at the same time. It cannot be done. It should not be done. It's a bad idea and it's something which we have to look at seriously.

Yes, I am saying on the eve of—

The Speaker (Hon David Warner): Would the Premier conclude his reply, please.

Hon Mr Rae: —the year 1995, which is going to be an election year, the quality of services we provide for our fellow citizens is a sign of our civility towards one another. You cannot do that if you're saying to people, "You can have it all for nothing." I don't believe that's being honest and straightforward. There's no free lunch. There wasn't one when you were in government, there isn't one today and there never will be one, and that view has to be expressed clearly and emphatically to the people of the province.

Mr Harris: I think after we cut through the rhetoric, the Premier is saying, "I can't do it."

Hon Mr Rae: No—

Mr Harris: If that's the case, step aside. If you cannot live with the tax rates that David Peterson left us with and that Lyn McLeod left us with, the highest in the country, if you can't keep your spending within those rates, then step aside.

By way of supplementary, clearly the Premier has identified that to live with those tax rates, we have to live with a reduced rate of spending. We have proposed a rate of spending equivalent to what the Liberals were spending when they were thrown out of office, fully indexed for inflation.

Are you honestly telling us that you cannot run the affairs of the province of Ontario at a spending rate equivalent to what the Liberals were thrown out of office for having taken us to, indexed for inflation? Are you prepared to go to the people saying: "I can't live with that amount of money. I can't provide the best services in the world with that amount of money"? If you're saying that, I say step aside too, because we can.

Hon Mr Rae: I must confess the leader of the third party has said—

Mr James J. Bradley (St Catharines): Newt.

Hon Mr Rae: A Newt by any other name—I've read his speeches as well and I'm always fascinated by the clippings that I receive from many different parts of the province. "Harris Promises Tourist Operators to Increase Budget" is a headline I saw recently. "Harris Promises Increased Funding for Health Care," "No Cuts in Health Care," "Harris promises that natural resources will not be affected by the cut." Harris told the farmers when I was at the Ontario Federation of Agriculture: "You've been badly treated. It's going to go up."

There isn't a group he isn't prepared to cater to and say they won't be affected by cuts. That's the position that's being taken by the leader of the third party. Today he comes in here and says, "I'm advocating a doubling of the budget," with respect to an aspect of the Community and Social Services budget.

The leader of the third party can't have it both ways. If he is going to go around the province saying, "Vote for me, I'll give it to you for free," he's got to tell people, "We're going to cut your hospitals; we're going to cut your natural resources; we're going to cut the budget of this province right down, not just to the bone but beneath the bone." That's exactly what this leader is saying with respect to the budgets of this province.

That's not something I'm prepared to countenance, that's not something I'm prepared to advocate, and when I hear the leader of the third party saying it, I'm prepared to call him on it because I think what he's doing and what he's saying in that regard is not right and is not fair.

The Speaker: Final supplementary.

Interjections.

The Speaker: Order. Final supplementary.

Mr Harris: By way of supplementary, once we get through the wild-eyed ranting and raving and rhetoric, what the Premier is really saying—

Interjections.

The Speaker: Order.

Mr Harris: What the Premier is really saying is, "I don't agree with your priority." Our priorities are to maintain funding for health care, for agriculture, for tourism, but the Premier—

Interjection: Agriculture?

Mr Harris: Yes.

Interjections.

The Speaker: Order.

Mr Harris: But the Premier and the Liberals disagree with slashing a number of politicians. The Premier and the Liberals disagree with reducing the number of bureaucrats. The Premier and the Liberals seem to disagree—

Interjections.

The Speaker: Order. Would the leader take his seat, please.

1440

Mr Harris: The Premier and the Liberals disagree—

The Speaker: Order. Would the leader please take his seat. I must caution the member. Will he please take his seat.

Interjections.

The Speaker: Premier. Does the Premier have a reply? If the leader of the third party could briefly and quickly place a supplementary, then we can have a reply.

Mr Harris: I acknowledge that the Premier and the Liberals disagree with our spending priorities and our reductions, our reductions in the numbers of politicians, bureaucrats, tax-free allowances, MPP pensions, every one of which we've detailed in our plan. You can disagree with that.

Premier, let me ask you about the tax cut. Even your own Treasurer in his last budget acknowledged that the greatest bang for the buck of job creation was in his tax cuts.

The Speaker: Would the leader place a question, please.

Mr Harris: Why are you not in favour of the single biggest job-creating tax cut in the history of Canada, a \$4-billion income tax cut to create jobs, prosperity, wealth and opportunities in Ontario? Why do you oppose that?

Hon Mr Rae: I oppose it because I think it's a truly nutty idea. That's why I oppose it. I really do. You've had free rein with this nonsense for a long time, and you've had free rein with this stuff for a while, and I think it doesn't add up.

I haven't met a single person—I've talked to bankers, I've talked to people on Bay Street, I've talked to other people about it. I've talked to small businessmen, large businessmen, working people and all sorts of people. They don't think your numbers add up. They don't think your theories add up. They think it's a bunch of right-wing nonsense which even they feel uncomfortable hearing you embrace.

I would say to the honourable member, I will tell you why I don't embrace this idea: because I don't think it has any merit. I think it's time we started telling the truth to the people of the province about how we feel about these things. I'm telling you how I feel. You tell people how you feel. I think your ideas are really nutty. I think they're nutty.

LONG-TERM-CARE REFORM

Mrs Lyn McLeod (Leader of the Opposition): My question is for the Minister of Health. Minister, within about an hour's time we understand that you are going to use the majority of your government to force the long-term-care bill through this House. You are clearly determined to impose your version of a monolithic bureaucratic agency on communities across this province. Not only that, but you're also determined to make matters even worse by sticking to something called the 80-20 rule.

At the hearings this summer, there were numerous organizations which gave testimony to their objections about the MSA model and about this very arbitrary 80-20 rule. They are frustrated by an arbitrary rule that restricts the numbers of agencies in a community that are even allowed to provide services. They're frustrated that only 20% of the services can be provided by anybody other than your bureaucratic agency. They know that this 80-20

rule is going to ultimately force some agencies to close their doors.

We have moved amendments to remove this unworkable, destructive section, but your members on the committee have defeated them. Minister, at this last hour, can I ask you why you have not at least supported these amendments? Why are you so determined to proceed with these provisions in a bill that is going to force agencies to lay off workers and possibly to close their doors?

Hon Ruth Grier (Minister of Health): I have made it clear time and time again when these issues have been raised that our reorganization of long-term care has created jobs, is creating jobs and is most unlikely to result in people being laid off; \$400 million extra does not add up to layoffs, it adds up to an expansion of service.

The critical difference, I think, between the opposition and ourselves on this issue is whether you merely coordinate 1,200 existing agencies or whether you in fact reorganize the services into a way that ensures they are provided in an integrated manner based on the needs of the people they serve.

The 80-20 rule or regulation confirms that our government believes that integration of services, bringing together those agencies, making them work together and join together in a way that provides integrated service, is the way to make sure that the people this is all about, the seniors and the disabled, get the care they need.

Mrs McLeod: We have tried to make it clear time and time again that we believe this bill is going to destroy community organizations. The organizations have told us that and, Minister, they have tried over and over again to tell you that.

This is bad public policy. It is the wrong thing to do. It's wrong because it says no to volunteers in this province. It's wrong because it is going to devastate community agencies that have served people in Ontario for decades.

Interjections.

The Speaker (Hon David Warner): Order.

Mrs McLeod: It's wrong because workers are going to be needlessly let go with absolutely no assurance of being rehired by your new agency. It's wrong because you are proceeding with this with absolutely no evidence of the cost of this new bureaucracy. It will not stand the test of people working in communities across this province. It will not stand the test of delivery service to seniors and people who need long-term care and that's why it must be changed.

Minister, every time you have answered a question in this House, you've used as your example of a coordinated system—

The Speaker: Could the leader place a question, please.

Mrs McLeod: —models which exist in communities, and every example you've used has been a model that's been built by the community itself.

Why do you persist in ignoring the views and the voices of these very same community organizations that

have proven that they can deliver effective service to seniors and others in our communities? Why do you insist—

The Speaker: Could the leader please conclude her question.

Mrs McLeod: —on imposing your view of what's best on communities across this province?

Hon Mrs Grier: If ever there was a case of a policy where a view was not imposed, it was this one. I say once again, the government that preceded us was about to impose coordination on 1,200 agencies. This government went back to those agencies and went back to the people those agencies serve and said, "Do you want this kind of coordination?" We heard, and we continue to hear, the answer is: "No, we want to integrate. We want to make sure that we provide service that is a continuum of care, that is seamless and that comes from one place, not from a variety of places."

Time and time again, and in community after community across this province, in advance of the legislation being voted upon, communities are coming together and doing that. I know the member won't like to hear that, but that is what's happening—

Interjections.

The Speaker: Order.

Hon Mrs Grier: —in district after district and in community after community.

Interjection.

The Speaker: The member for Eglinton, come to order.

Hon Mrs Grier: The people who run community-based services are recognizing—

The Speaker: Would the minister conclude her reply, please.

Hon Mrs Grier: —the value of working together and are creating, as we speak, the agencies that will deliver that service in an integrated way, in a continuous way and in a cost-effective way. She refuses to believe it.

The Speaker: Would the minister please conclude her reply.

Hon Mrs Grier: We know—

The Speaker: New question.

1450

PROCEEDS OF CRIME BILL

Mr Cameron Jackson (Burlington South): I notice that the Premier is not in the House. I called his office at 10 o'clock this morning to advise him—

The Speaker (Hon David Warner): Would the member take his seat, please. The member knows better. If there is a minister to whom he wishes to address the question who is not in the House, would he please direct his question to someone else.

Mr Jackson: Can I ask the House leader if the Premier is still in the House or in the lobby. I had served notice to the Premier, which I understand is the rules and regs in this House. I served notice. If he has left, I'd like to—

The Speaker: I give the member a few more seconds

if he will identify a minister to whom he wishes to place his question. Otherwise, I will recognize someone else in the chamber.

Mr Jackson: I then ask the question to the Attorney General.

On July 17, 1993, I tabled Bill 85, An Act to prevent unjust enrichment through the proceeds of crime. On October 21, 1993, it was debated in this House and passed with a huge margin of support and referred to the social development committee for public hearings. That was over a year ago.

Late last night, at the 11th hour in the social development committee, a motion by NDP members of the committee was placed to stop and prevent any public hearings on this bill during the intersession.

I have contacted the main sponsors of this bill, Donna French, Priscilla de Villiers and Debbie Mahaffy. Their comments today are filled with concern at the manner in which the government has acted, and they have been attempting to contact the Premier's office.

Minister, can you explain why your government refuses to conduct public hearings when that was the will of this Parliament? As Mrs Mahaffy, Debbie, has indicated, Christmas is one of the most difficult times for her family, and this decision by your government has made it that much more difficult.

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): As this is a matter of House management, I refer to the House leader.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): The member raises a serious question, one on which he obviously has significant depth of feeling.

On the other hand, it should be made clear to the House that although the government members on the committee yesterday did move a motion, it was not a negative motion, as the member suggests. In fact, it was a positive motion to seek the committee's approval to proceed with hearings on the bill to which he refers during the spring session. In fact, the committee passed that motion, although the Liberals and the Conservatives both voted against the motion to proceed with hearings on this matter next March.

Interjections.

The Speaker: Order.

Hon Mr Charlton: As a result of calls the member across the way made to the government this morning, we offered to have the Attorney General's staff sit down with the member across the way to deal with some amendments to make the legislation acceptable so that we could pass it here in this House tomorrow, and the member declined to participate.

Mr Jackson: I don't think any serious-minded person actually believes I would indicate my unwillingness to proceed with this legislation after I first tabled a form of it seven and a half years ago in this House.

In my discussion with the Premier only a few moments ago in this chamber, he indicated that there were four lawyers standing by the phone waiting to sit down and

get the bill passed. I said: "Fine, if you think you can do it. It's quite unbelievable." The note from the Premier, which I have on my desk, says, but, oh, by the way, "We're ready to proceed with a discussion," and he boxed in the word "discussion."

I don't know what the game is that's being played over there. We are willing to sit down and pass this bill.

Interjections.

The Speaker: Order.

Mr Jackson: The facts have been laid out in this Parliament for everyone to see. If the government has the political will to pass this bill in the next 48 hours, we're prepared to proceed. That is a fact. If the government is prepared to withdraw its support, then state that: Stand in the House and tell Priscilla de Villiers, Debbie Mahaffy and Donna French that you're not prepared to do it in 48 hours, because I'll be here for the next 48 hours to work with those four lawyers or any other lawyers to pass the proceeds of crime bill.

The Speaker: Could the member place a question, please.

Mr Jackson: Will you proceed to prepare the bill for this House for tomorrow, yes or no?

Hon Mr Charlton: The member across the way is the sponsor of the bill. The Attorney General's staff are prepared to sit down with that member to see if he can agree to amendments we can agree to in terms of passing that bill. We believe that can happen.

But I would suggest it's somewhat intriguing why the member didn't inform the House today about those discussions that occurred this morning and only about the motion that happened yesterday. The member's bill has been in committee for a year, as he has suggested. On two occasions, the member has been offered hearings on that bill and has declined, saying he was not ready to proceed. We're prepared to deal with this piece of legislation if the member is prepared to sit down with the Attorney General's staff and proceed in an honest and straightforward way and stop playing political games with the issue.

ACCESSIBILITY FOR THE DISABLED

Mr Gary Malkowski (York East): I have a question for the House leader. On Tuesday, I met with a group of constituents, Citizens for Access, in the riding of East York. They continue to experience many barriers in gaining access to transportation services and buildings. As you are aware, with the end of the session, Bill 168, the Ontarians with Disabilities Act, will die on the order paper unless the government moves that it be carried over into the next session of the Legislature. Will the government move that Bill 168 be carried over?

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): The simple answer is, yes, we will ensure that Bill 168 is carried over. This government has shown very serious commitment to both equity and disability issues. We intend to continue to show very serious intent to proceed with issues like the member's Bill 168, and we will proceed to carry it over, yes.

Mr Malkowski: In a letter dated November 23, 1994,

to Ron MacInnes, president of ARCH, you indicated you would be speaking to the opposition House leaders about review of Bill 168 by the justice committee. Have you raised the issue of intersessional hearings into the bill, including hearings in centres outside of Toronto? If you have, how have the opposition leaders responded?

Hon Mr Charlton: I thank the honourable member for the question.

I have to admit that although I have discussed the matter of his bill with the opposition House leaders, I didn't do that in the context of the intersession. We did have some discussions about Bill 168. As a result of that, the bill is now in hearings in the justice committee. As I've said here in the House about this bill and a number of others, no, we have not had discussions about the intersession. As I understand it, as a result of the member's own efforts, the committee yesterday passed a motion to proceed to deal with hearings on the member's bill during the spring session.

FURNACE VENTING SYSTEMS

Mr Steven Offer (Mississauga North): My question is to the Minister of Consumer and Commercial Relations. Madam Minister, my question deals with a very serious health risk existing as a result of the installation of plastic gas venting systems on mid-efficiency furnaces. You will know that on November 21 you responded to a question posed by the member for Renfrew North on this issue by stating, and I read from Hansard: "I should add that the product in question that the member referred to was banned for sale in Ontario. That was done right away when we first heard about this problem," and that was in March 1994.

I have been provided by the member for Halton Centre with recorded minutes of a meeting that took place just last October in the town of Oakville. In attendance at that meeting were representatives of your ministry. In recorded questions and answers, it was asked who was advised of the deficiency and when. Your fuels safety branch of your ministry became aware of the problem in 1992. Minister, you told this House only last week that you banned the product when you first heard of this problem just last March. However, it appears that your ministry, that you knew of this problem not in 1994 but rather in 1992.

Why did you wait two years before informing the public of a product that can cause a carbon monoxide gas leak in their home?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): When the ministry officials informed me of the problem, the whole situation and the problems associated with the gas vents had increased significantly. What I was informed was that there seemed to be problems with these gas venting systems across the country but very few had been reported.

It's not the ministry inspectors who go out into each and every home. We have to rely on the inspectors out there, the industry out there, to come and tell us when there are problems, and for a long time we were not getting consistent reports. The ministry officials tell me they were getting a few reports here and there from

officials, and it was at that time that they started to think there may be bigger problems with these systems. At that time, when it became apparent that there seemed to be a consistent problem, then they came and informed me about it, and shortly after that, that product was banned from the market.

1500

Mr Offer: Minister, that's a bunch of baloney. You told this House just last week that the first time you heard about this, you banned the product. That would have been last March 1994. Your own staff said they first heard about this problem in 1992. Minister, they advised all the installers at that time. That wasn't just hearsay; they knew there was a major problem. You didn't inform the public of the province of Ontario that there was a real problem in gas venting systems in mid-efficiency furnaces that would result in carbon monoxide leaks.

You know that the Ontario Home Builders' Association has indicated that there are over 10,000 homes in Ontario with this type of furnace venting which can crack and allow odourless carbon monoxide gas to escape into the house. Your ministry has indicated that this carbon monoxide gas will cause headaches, will cause nausea and, in extreme cases, death.

Minister, today the temperature is falling; the furnaces are being turned up. What do you say to the families, to the children who live in these homes where they're under a constant threat of carbon monoxide gas leaks, on a matter—

The Speaker (Hon David Warner): Will the member conclude his question, please.

Mr Offer: —which you knew about in 1992 and didn't inform the people of this province of until two years later? What do you say today to those families and children who live in those homes?

Hon Ms Churley: In fact, the member is quite wrong. I didn't know in 1992, and when we were aware that there could be significant problems with these gas vents, we were the first jurisdiction whatsoever in North America to take any action—the very first. As soon as we were aware that there may be problems—

Interjection.

The Speaker: Will the member for Halton Centre please come to order.

Hon Ms Churley: —that these vents may be a problem, we were the first jurisdiction to act. Other jurisdictions across the nation and across the United States are looking to what we have been doing.

They have been banned. There is a replacement system that can be used in the meantime. We are looking at working with the industry's concern to come up with alternatives. You don't want me to talk out the clock again, so I won't, but Mr Speaker, we were the first jurisdiction to act, and the member knows it.

LAND REGISTRATION

Mr David Tilson (Dufferin-Peel): I have a question for the Minister of Consumer and Commercial Relations. You thought you were going to get off easy.

Minister, I wouldn't want the session to end without

asking you a question about our favourite joint venture company, Teranet, particularly when your colleagues of the justice committee have blocked my efforts to subject the corporation to further scrutiny.

When your predecessor, the member for Welland-Thorold, announced the joint venture agreement, he said that Teranet would create jobs here in Ontario and expedite the work of people involved in the land registration business. He also claimed, "All this will be accomplished much sooner and at a lower cost than if the government had tried to do it on its own."

Minister, I have been told by people in the business that neither of these goals have been realized.

Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs): That is not what he said.

Mr Tilson: I'm sorry, it is what he said. It's a direct quote from his statement.

Minister, I have been told by people in the business that neither of these goals have been realized. Can you confirm that in the brave new world of Teranet, the cost of the research necessary to provide a professional opinion will be a minimum of 20 times the current cost, and that, to compound the damage, in many areas of Ontario we lose up to 10% of the physical boundary information? Is this not a fact, that we will pay more for less?

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): No, the member has the facts all wrong on this. Perhaps we can talk about it later. I'd like to tell him that over 600,000 properties are now available for public access and 350 direct jobs have been created by this consortium. I'll be glad to update the member after question period as to the latest on what's happening with Teranet, but I can assure him that the problems he thinks are happening there are not happening.

MEMBER FOR VICTORIA-HALIBURTON

Mr Carman McClelland (Brampton North): On a point of order, Mr Speaker: Perhaps you can assist me and direct under which section of the standing orders I can draw attention to the fact that the newest member of the House, the member for Victoria-Haliburton, I believe is celebrating his 21st birthday today. Chris Hodgson, I want to wish you a happy birthday, and I wonder if you could assist us in that regard, Mr Speaker.

Mr Alvin Curling (Scarborough North): No, it's his 31st.

Mr McClelland: I'm sorry; I might have said 21st. We might have missed 10 years or so.

The Speaker (Hon David Warner): To the member for Brampton North, I have studied the standing orders, and I can't remember which particular order he refers to, but indeed very best wishes to the member for Victoria-Haliburton.

Mr Chris Hodgson (Victoria-Haliburton): On a point of order, Mr Speaker: I would just like to set the record straight and state that it's 33 years, and thank my friend and colleague.

PETITIONS

GASOLINE PRICES

Mr Frank Miclash (Kenora): I have a petition to the Legislative Assembly of Ontario. It reads:

"Whereas the difference in gasoline prices between northern and southern Ontario has long represented a serious inequity between the two regions; and

"Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 and 20 cents a litre; and

"Whereas residents of most northern Ontario communities have no access to public transportation options and are therefore dependent on private automobiles; and

"Whereas 1990 NDP election promises to 'equalize' the price of gasoline across the province of Ontario have not been kept; and

"Whereas" I, as the MPP for the Kenora riding, have "called upon the NDP government to keep their 1990 election promises; and

"Whereas the elimination of motor vehicle registration fees for northern Ontario residents does not compensate for the high price of gas in the north;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government of Ontario fulfil its election promises to the people of northern Ontario by equalizing the price of gas across the province."

That's signed by people from Dryden, Waldhof, Machin, Keewatin, Kenora, Red Lake, McKenzie Island, Balmertown, Cochenour and other places across my riding. I too attach my name to that petition.

1510

DRINKING AND DRIVING

Mrs Margaret Marland (Mississauga South): I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas 81% of all driving fatalities are alcohol-related;

"Whereas 59% or 18,000 of the 30,000 total convictions for drunk driving in 1992 involved repeat offenders;

"Whereas the Drinking and Driving in Ontario Statistical Yearbook released by the Ministry of the Attorney General's drinking/driving countermeasures office confirmed that drunk driving is on the rise;

"Whereas drunk driving is the number one killer of young people;

"Whereas the existing measures and penalties have failed to deter chronic drunk drivers from reoffending;

"Whereas driving is a privilege, not a right, and chronic drunk drivers have failed to take their driving responsibilities seriously;

"We, the undersigned, petition the Legislative Assembly of Ontario to enact Margaret Marland's private member's Bill 195, An Act to amend the Highway Traffic Act, or similar legislation prior to the recess of the Ontario Legislature on December 8, 1994."

There are 290 names on this petition and I am happy to sign it.

SNOWMOBILE INSURANCE

Mr Mike Cooper (Kitchener-Wilmot): I have a petition signed by snowmobile enthusiasts from across southwestern Ontario and it's to the Legislative Assembly of Ontario.

"Whereas snowmobile insurance premiums have increased disproportionately to the economy; and

"Whereas increased premiums have the effect of forcing people to ride smaller machines which may not be suitable for families; and

"Whereas many snowmobiles have been blacklisted; and

"Whereas snowmobiling has over the years become a safer sport through better education;

"We, the undersigned, petition the Legislative Assembly of Ontario to investigate the needless and unwarranted increases in snowmobile insurance."

I affix my signature to it.

VENTE DE BIÈRE ET VIN

SALE OF BEER AND WINE

M. Jean Poirier (Prescott et Russell): J'ai une pétition de 3,149 noms de 14 dépanneurs de la circonscription demandant au gouvernement provincial—and the Minister of Consumer and Commercial Relations may want to hear this—que la vente de boissons alcoolisées telles le vin et la bière soit autorisée dans les dépanneurs de l'Ontario.

There are 3,149 names and 14 stores in Prescott and Russell to ask the Legislative Assembly of Ontario that beer and wine can be sold in corner grocery stores and get Ontario to come into the 20th century.

SPEECH-LANGUAGE SERVICES

Mr Cameron Jackson (Burlington South): I have a petition to the Parliament of Ontario.

"Whereas the provincial government has left unresolved the issue of speech-language service delivery between agencies representing the provincial ministries of Health, Education and Training, and Community and Social Services; and

"Whereas on January 24, 1994, the Joseph Brant Memorial Hospital in Burlington decided to discontinue its program of assessment and treatment of preschool children with speech and language disorders; and

"Whereas the Minister of Health was asked on May 2 in the Legislature to intervene and examine why cuts to vital children's health services were replaced by user fees to private agencies for the families affected;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government immediately undertake to streamline the delivery of speech-language services in this province and assist Joseph Brant Memorial Hospital to restore its speech-language program to maintain accessibility to speech-language services for the families and children that need them in Burlington and within Halton region."

This has the signatures in support of 2,000 of my constituents in Burlington and in Halton generally, and

has my signature of support as well.

PENSION FUNDS

Mr Randy R. Hope (Chatham-Kent): I have a petition which is signed by a number of constituents of mine and it's addressed to the Legislative Assembly of Ontario.

"Whereas the NDP government has stressed that equality of treatment is essential in a modern society; and

"Whereas the former Liberal government chose to exclude thousands of workers in the Pension Benefits Act, 1988, whose employment was terminated prior to January 1, 1988; and

"Whereas workers are being denied access to the pension funds that are in fact deferred wages;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to enact changes to the Pension Benefits Act that will enable workers whose employment was terminated prior to 1988 the options to:

"(a) purchase a locked-in retirement account or a life-income accounts, or

"(b) transfer the pension money to the pension fund of their new employer, and that these workers be allowed the right to begin receiving payment of their pension funds or LIRA at age 55."

I affix my signature to it.

M.M. ROBINSON HIGH SCHOOL

Mrs Barbara Sullivan (Halton Centre): I have a petition prepared by 535 parents of students at M.M. Robinson High School in my constituency. It reads as follows:

"Whereas the provision of publicly funded education is a fundamental right of every Canadian citizen;

"Whereas studies have shown that school environment has a significant impact on student attitude and levels of achievement—education should be provided in a decent, well-equipped facility;

"Whereas the deterioration of M.M. Robinson High School in Burlington has led to reduced programming, particularly in the arts and science and technology—some examples of this are no place for performing arts to stage a production, reduced ability to do science experiments, no seminar rooms for independent study, no facility for testing/assessment or counselling;

"Whereas the disintegration of the building shell and the internal mechanics has resulted in extremely cold working conditions, water leakage problems leading to damp conditions, mould and mildew, water on the floor and falling objects—the electrical system has not been upgraded since the facility was built in 1962 and is totally inadequate for today's demands;

"We, the undersigned, petition the Legislature of Ontario to ensure the timely and complete renovation of M.M. Robinson High School in Burlington."

I have affixed my signature to this petition. I agree wholeheartedly with it and believe that these safety and academic issues must be addressed.

GASOLINE PRICES

Mr Ernie L. Eves (Parry Sound): I have a petition

to the Legislative Assembly of Ontario.

"Whereas the difference in gasoline prices between northern and southern Ontario has long represented a serious inequity between the two regions; and

"Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 and 20 cents a litre; and

"Whereas the residents of most northern Ontario communities have no access to public transportation options and are therefore dependent on private automobiles; and

"Whereas the 1990 NDP election promises to 'equalize' the price of gasoline across the province have not been kept; and

"Whereas Kenora Liberal MPP Frank Miclash has called upon the NDP government to keep their 1990 election promises; and

"Whereas the elimination of motor vehicle registration licence fees for northern Ontario residents does not compensate for the excessively high price of gasoline in the north;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government of Ontario fulfil its election promises to the people of northern Ontario by equalizing the price of gas across the province."

I have affixed my signature thereto.

FIREARMS SAFETY

Mr David Ramsay (Timiskaming): I have a petition to the Legislative Assembly of Ontario:

"Whereas we, the undersigned, strenuously object to the Minister of the Solicitor General's decision on the firearms acquisition certificate course and examination; and

"Whereas we believe that the Solicitor General should have followed the Ontario Federation of Anglers and Hunters' advice and grandfathered those of us who have already taken safety courses and/or hunted for years; and

"Whereas we should not have to take the time or pay the cost of another course or examination and we should not have to learn about classes of firearms that we have no desire to own;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To amend your plans, grandfather responsible firearms owners and hunters and only require future first-time gun purchasers to take the new federal firearms safety course or examination."

I've affixed my signature to this.

FIREARMS CONTROL

Mr Robert W. Runciman (Leeds-Grenville): I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the private, peaceful ownership, maintenance and use of firearms is currently heavily controlled under existing legislation; and

"Whereas we see as our right the peaceful ownership, maintenance and use of such firearms; and

"Whereas there appears to be no legislation guaranteeing such right;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To institute legislation to protect the peaceful, private ownership, maintenance and use of such firearms including, but not exclusive to, such events as controlled hunting, sport shooting, collecting etc."

I am affixing my signature in support.

AFFORDABLE HOUSING

LOGEMENTS À PRIX ABORDABLES

Mr Bernard Grandmaître (Ottawa East): My petition is addressed to the Minister of Housing:

"Whereas the Ministry of Housing's policy of calculating rent in geared-to-income projects from 25% of gross income to 30% of gross income over five years is causing undue hardship to many of the residents;

"Attendu que cette politique ne tient pas compte du revenu net des résidentes et des résidents ;

"Nous, soussignés, adressons à l'Assemblée législative de l'Ontario la pétition suivante :

"Be it resolved that the Legislative Assembly review this policy to maintain a true affordable housing policy for the residents of those housing projects."

I have affixed my signature.

SPECIAL SERVICES AT HOME PROGRAM

Mr Cameron Jackson (Burlington South): I have a petition to the Parliament of Ontario:

"In this, the International Year of the Family, we, the undersigned, call upon the Minister of Community and Social Services to support and strengthen families in Ontario by significantly increasing the funding allocation to the special services at home program.

"This cost-effective program provides essential supports to children and adults with disabilities so that they can remain with their families in their home communities."

This petition was furnished to me by Gloria Christianson and it contains the signature of support of Cathy Wilkieson. The petition has my signature of support as well.

1520

LONG-TERM-CARE REFORM

Mr James J. Bradley (St Catharines): I have a petition from a number of people from Toronto and from St Catharines. This is addressed to members of the Legislative Assembly of Ontario:

"Whereas Bill 173, the long-term-care reform bill, if allowed to pass without necessary and appropriate amendments, will result in a lower level of service to consumers in the province; and

"Whereas the enactment of this legislation in its present form will increase the cost of the provision of care to the elderly and those in medical need; and

"Whereas the passage of Bill 173 will bring about a decrease in the number of volunteers available to organizations now directly involved in providing service in the field of long-term care; and

"Whereas local communities will lose control and influence over the delivery of long-term-care services even though they are best able to determine local needs,

"Be it therefore resolved that the government of Ontario be requested to amend Bill 173 to comply with the recommendations of service organizations who at present deliver home care to people in communities across Ontario."

I affix my signature to this petition, as I'm in agreement with its contents.

WASTE MANAGEMENT

Mr David Tilson (Dufferin-Peel): I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the announcement by the NDP government to choose three superdumps within the greater Toronto area has disturbed and upset local residents; and

"Whereas these superdumps might have been prevented if Bill 143 had allowed the Interim Waste Authority to look at all alternatives during the site selection process; and

"Whereas we would like to ensure the province of Ontario is making the best decision based on all the facts regarding incineration and long rail-haul and garbage management;

"We demand that the NDP government of Ontario:

"Repeal Bill 143, disband the IWA and place a moratorium on the process of finding a landfill to serve all of the greater Toronto area until all alternatives can be properly studied and debated."

I've signed this petition.

GASOLINE PRICES

Mr Frank Miclash (Kenora): I have a petition to the Legislative Assembly of Ontario, and it again reads:

"Whereas the difference in gasoline prices between northern and southern Ontario has long represented a serious inequity between the two regions; and

"Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 cents and 20 cents a litre; and

"Whereas residents of most northern Ontario communities have no access to public transportation options and are therefore dependent on private automobiles; and

"Whereas 1990 election promises to equalize the price of gasoline across the province have not been kept; and

"Whereas" I, as the Liberal MPP for the Kenora riding, have "called upon the NDP government to keep their 1990 election promises; and

"Whereas the elimination of motor vehicle registration fees for northern Ontario residents does not compensate for the excessively high price of gas in the north,

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government of Ontario fulfil its election promises to the people of northern Ontario by equalizing the price of gas across the province."

Again, that's signed by many people from Dryden, Kenora, Keewatin and other areas of my riding, and I too attach my name to that petition.

REPORTS BY COMMITTEES
STANDING COMMITTEE ON
SOCIAL DEVELOPMENT

Mr Beer from the standing committee on social development presented the following report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 158, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of Adoption Disclosure / Projet de loi 158, Loi modifiant la Loi sur les statistiques de l'état civil et la Loi sur les services à l'enfance et à la famille en ce qui concerne la divulgation de renseignements sur les adoptions.

The Deputy Speaker (Mr Gilles E. Morin): Shall the report be received and adopted? Agreed.

Shall Bill 158 be order for third reading?

Interjections.

The Deputy Speaker: The bill is therefore referred to the committee of the whole.

STANDING COMMITTEE ON ESTIMATES

Mr Jackson from the standing committee on estimates presented the committee's report as follows:

Pursuant to standing order 60(a) the following estimates 1994-95 are reported back to the House as they were not previously selected by the committee for consideration and are deemed to be received and concurred in.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 60(b), the report of the committee is deemed to be received and the estimates of the ministries and offices named therein as not being selected for consideration by the committee are deemed to be concurred in.

STANDING COMMITTEE ON
REGULATIONS AND PRIVATE BILLS

Ms Haack from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr139, An Act respecting the Sarnia Community Foundation

Bill Pr143, An Act to revive Coballoy Mines and Refiners Limited

Bill Pr144, An Act to revive Columbia Metals Corporation Limited

Bill Pr145, An Act to revive Parkway Delicatessen Limited

Bill Pr152, An Act to revive S.A.W. Gallery Inc.

Bill Pr155, An Act to revive Pays D'en Haut Wilderness Expeditions Limited

Bill Pr158, An Act respecting the Ontario Association of Home Inspectors

Bill Pr159, An Act respecting the County of Kent and the Local Municipalities in it.

Your committee begs to report the following bills, as amended:

Bill Pr120, An Act respecting the Young Men's Christian Association of Cambridge

Bill Pr140, An Act respecting the City of Hamilton

Bill Pr160, An Act respecting the County of Kent.

Your committee recommends that the fees and the actual costs of printing at all stages and in the annual statutes be remitted on the following bills:

Bill Pr120, An Act respecting the Young Men's Christian Association of Cambridge

Bill Pr139, An Act respecting the Sarnia Community Foundation

Bill Pr152, An Act to revive S.A.W. Gallery Inc.

The Deputy Speaker (Mr Gilles E. Morin): Shall the report be received and adopted? Agreed.

STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS

Mr Paul Johnson from the standing committee on finance and economic affairs presented the following report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 198, An Act to amend the Liquor Licence Act, the Municipal Act and the Regional Municipalities Act and certain other statutes related to upper-tier municipalities / Projet de loi 198, Loi modifiant la Loi sur les permis d'alcool, la Loi sur les municipalités, la Loi sur les municipalités régionales et certaines autres lois ayant trait aux municipalités de palier supérieur.

The Deputy Speaker (Mr Gilles E. Morin): Shall the report be received and adopted? Agreed.

Shall Bill 198 be ordered for third reading? Agreed.

INTRODUCTION OF BILLS

SUPPLY ACT, 1994

LOI DE CRÉDITS DE 1994

Mr Laughren moved first reading of the following bill:

Bill 204, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 1995 / Projet de loi 204, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 1995.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

EMPLOYMENT STANDARDS
AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI
SUR LES NORMES D'EMPLOI

Mr O'Connor moved first reading of the following bill:

Bill 205, An Act to amend the Employment Standards Act / Projet de loi 205, Loi modifiant la Loi sur les normes d'emploi.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Larry O'Connor (Durham-York): The purpose of this bill is to allow an employee the opportunity to take an unpaid leave of absence in order to provide palliative care to a family member who is suffering from a terminal illness.

CONSENSUAL TRANSACTIONS ACT, 1994

LOI DE 1994

SUR LES TRANSACTIONS CONSENSUELLES

Mr Jackson moved first reading of the following bill:

Bill 206, An Act to require Consent to certain types of Transactions / Projet de loi 206, Loi exigeant un consentement pour effectuer certains genres de transactions.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Cameron Jackson (Burlington South): This bill prohibits a person from charging or collecting payment for the provision of products or services to a person unless that person has consented to purchase. The bill will outlaw in practice in Ontario the use of negative option marketing.

ORDERS OF THE DAY

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): Mr Speaker, before I call the first order, as has been my habit for the last several days I will deal with a number of issues that we need the consent of the House to proceed with, issues which the three House leaders have agreed to.

Firstly, as has been the case for the last several days, any votes which occur between 6 pm and midnight, where there is a division and a request for a recorded vote, the recorded vote will be deferred until tomorrow, immediately at orders of the day. All other votes where there is no request for a recorded vote shall proceed.

We also seek consent to do second and third readings on a list of private bills that have been reported back to this House by the committee on private bills. We also need the consent of the House to call certain private members' bills for second reading. Those bills are Bill 192, standing in the name of Mr Arnott, the Highway Traffic Act amendments; Bill 179, standing in the name of Mr Hansen, the Highway Traffic Act amendments; and Bill 191, standing in the name of Mr Runciman, the Municipal Elections Act amendments.

We also need consent to proceed directly to committee of the whole from second reading on Bill 191.

Lastly, we need the consent of the House to deal with the Supply Act at second reading today.

The Deputy Speaker: Is there unanimous consent? Agreed.

Hon Mr Charlton: I believe we start at the 134th order.

Senior Clerk Assistant and Clerk of Journals (Mr Alex McFedries): No, the deferred votes.

Hon Mr Charlton: Oh, I'm sorry. We have the two deferred votes first, right.

LONG-TERM CARE ACT, 1994

LOI DE 1994 SUR LES SOINS DE LONGUE DURÉE

Deferred vote on the motion for third reading of Bill 173, An Act respecting Long-Term Care / Projet de loi 173, Loi concernant les soins de longue durée.

The Deputy Speaker (Mr Gilles E. Morin): This will be a five-minute bell. Call in the members.

The division bells rang from 1533 to 1538.

The Deputy Speaker: Will the members please take their seats. Mrs Grier has moved third reading of Bill 173, An Act respecting Long-Term Care. All those in favour of the motion will please rise one at a time.

Ayes

Abel, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Duignan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Lankin, Laughren, Mackenzie, MacKinnon, Malkowski, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdock (Sudbury), O'Connor, Owens, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Ward, Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

The Deputy Speaker: All those opposed to the motion will please rise one at a time.

Nays

Arnott, Beer, Bradley, Brown, Callahan, Caplan, Carr, Conway, Crozier, Curling, Daigeler, Eddy, Eves, Fawcett, Grandmaître, Harnick, Harris, Henderson, Hodgson, Jackson, Johnson (Don Mills), Jordan, Mahoney, Marland, McClelland, McGuinty, McLean, McLeod, Miclash, Murdoch (Grey-Owen Sound), Murphy, Offer, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Poole, Ramsay, Runciman, Ruprecht, Sola, Sterling, Stockwell, Sullivan, Tilson, Wilson (Simcoe West), Witmer.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 62, the nays 47.

The Deputy Speaker: I declare the motion carried.

Resolved that the bill do now pass and be entitled as in the motion.

CROWN FOREST SUSTAINABILITY ACT, 1994

LOI DE 1994 SUR LA DURABILITÉ
DES FORÊTS DE LA COURONNE

Deferred vote on the motion for third reading of Bill 171, An Act to revise the Crown Timber Act to provide for the sustainability of Crown Forests in Ontario / Projet de loi 171, Loi révisant la Loi sur le bois de la Couronne en vue de prévoir la durabilité des forêts de la Couronne en Ontario.

The Deputy Speaker (Mr Gilles E. Morin): Would you like it to be the same vote? No. Therefore, we will call in the members, and this will be a five-minute bell.

The division bells rang from 1543 to 1548.

The Deputy Speaker: Please take your seats. All those in favour of the motion will please rise one at a time.

Ayes

Abel, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Duignan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-

South Hastings), Klopp, Kormos, Lankin, Laughren, Mackenzie, MacKinnon, Malkowski, Marchese, Martel, Martin, Mathysen, Mills, Morrow, Murdock (Sudbury), O'Connor, Owens, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Ward, Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziemba.

The Deputy Speaker: All those opposed to the motion will please rise one at a time.

Nays

Arnott, Beer, Bradley, Brown, Callahan, Caplan, Carr, Conway, Crozier, Curling, Daigeler, Eddy, Eves, Fawcett, Grandmaître, Harnick, Harris, Henderson, Hodgson, Johnson (Don Mills), Jordan, Mahoney, Marland, McClelland, McGuinty, McLean, McLeod, Miclash, Murdoch (Grey-Owen Sound), Murphy, Offer, O'Neil (Quinte), O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poirier, Poole, Ramsay, Runciman, Ruprecht, Sola, Sterling, Stockwell, Sullivan, Tilson, Wilson (Simcoe West), Witmer.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 63, the nays 46.

The Deputy Speaker: I declare the motion carried.

Resolved that the bill do now pass and be entitled as in the motion.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): The orders that I intend to call now are the private bills on which I sought consent to have second and third readings dealt with today.

It will be the 134th order and the 136th through the 152nd orders.

CITY OF WINDSOR ACT (RE CLEARY ESTATE), 1994

Ms Haeck, on behalf of Mr Lessard, moved second reading of the following bill:

Bill Pr51, An Act respecting the City of Windsor and the Will of Edmund Anderson Cleary.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Ms Haeck, on behalf of Mr Lessard, moved third reading of the following bill:

Bill Pr51, An Act respecting the City of Windsor and the Will of Edmund Anderson Cleary.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

J.G. TAYLOR COMMUNITY CENTRE INC. ACT, 1994

Mr Hope moved second reading of the following bill:

Bill Pr117, An Act respecting The J.G. Taylor Community Centre Inc.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Hope moved third reading of the following bill:

Bill Pr117, An Act respecting The J.G. Taylor Community Centre Inc.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

MONPRE IRON MINES LIMITED ACT, 1994

Mr Murphy moved second reading of the following bill:

Bill Pr118, An Act to revive Monpre Iron Mines Limited.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Murphy moved third reading of the following bill:

Bill Pr118, An Act to revive Monpre Iron Mines Limited.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

YORK ST. PETER'S EVANGELISTIC ORGANIZATION ACT, 1994

Mrs Caplan moved second reading of the following bill:

Bill Pr121, An Act to revive York St. Peter's Evangelistic Organization.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mrs Caplan moved third reading of the following bill:

Bill Pr121, An Act to revive York St. Peter's Evangelistic Organization.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

ONTARIO PROFESSIONAL PLANNERS INSTITUTE ACT, 1994

Mr Martin moved second reading of the following bill:

Bill Pr129, An Act respecting the Ontario Professional Planners Institute.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Martin moved third reading of the following bill:

Bill Pr129, An Act respecting the Ontario Professional Planners Institute.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

1600

BRAMPTON BRAMALEA CHRISTIAN FELLOWSHIP ACT, 1994

Mr Callahan moved second reading of the following bill:

Bill Pr130, An Act to revive Brampton Bramalea Christian Fellowship.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Callahan moved third reading of the following bill:
 Bill Pr130, An Act to revive Brampton Bramalea Christian Fellowship.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

TOWNSHIP OF EAST LUTHER AND
 THE VILLAGE OF GRAND VALLEY ACT, 1994

Mr Tilson moved second reading of the following bill:
 Bill Pr132, An Act respecting the Township of East Luther and the Village of Grand Valley.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Tilson moved third reading of the following bill:

Bill Pr132, An Act respecting the Township of East Luther and the Village of Grand Valley.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

COMMUNITY NETWORK
 OF CHILD CARE PROGRAMS
 (WILLOWDALE) ACT, 1994

Mrs Caplan moved second reading of the following bill:

Bill Pr133, An Act to revive Community Network of Child Care Programs (Willowdale).

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mrs Caplan moved third reading of the following bill:

Bill Pr133, An Act to revive Community Network of Child Care Programs (Willowdale).

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

DURHAM REGIONAL POLICE
 ASSOCIATION INC. ACT, 1994

Mr O'Connor moved second reading of the following bill:

Bill Pr135, An Act to revive Durham Regional Police Association Inc.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr O'Connor moved third reading of the following bill:

Bill Pr135, An Act to revive Durham Regional Police Association Inc.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

PEACE BRIDGE AREA
 UNITED FUND INC. ACT, 1994

Mr Hansen moved second reading of the following bill:

Bill Pr136, An Act to revive Peace Bridge Area United Fund Inc.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Hansen moved third reading of the following bill:

Bill Pr136, An Act to revive Peace Bridge Area United Fund Inc.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

BEREAN BAPTIST CHURCH
 OF COLLINGWOOD ACT, 1994

Mr Jim Wilson moved second reading of the following bill:

Bill Pr138, An Act to revive Berean Baptist Church of Collingwood.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Jim Wilson moved third reading of the following bill:

Bill Pr138, An Act to revive Berean Baptist Church of Collingwood.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

CITY OF YORK ACTS, 1994

Ms Poole moved second reading of the following bill:

Bill Pr146, An Act respecting the City of York.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Ms Poole moved third reading of the following bill:

Bill Pr146, An Act respecting the City of York.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

Ms Haeck, on behalf of Mr Rizzo, moved second reading of the following bill:

Bill Pr147, An Act respecting the City of York.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Ms Haeck, on behalf of Mr Rizzo, moved third reading of the following bill:

Bill Pr147, An Act respecting the City of York.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

CITY OF MISSISSAUGA ACT, 1994

Mr Miclash, on behalf of Mr Mahoney, moved second reading of the following bill:

Bill Pr148, An Act respecting the City of Mississauga.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Miclash, on behalf of Mr Mahoney, moved third reading of the following bill:

Bill Pr148, An Act respecting the City of Mississauga.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

MISSISSAUGA SYNCHRONIZED
SWIMMING ASSOCIATION ACT, 1994

Mr Miclash, on behalf of Mr Mahoney, moved second reading of the following bill:

Bill Pr150, An Act to revive Mississauga Synchronized Swimming Association.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Miclash, on behalf of Mr Mahoney, moved third reading of the following bill:

Bill Pr150, An Act to revive Mississauga Synchronized Swimming Association.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

1610

CITY OF LONDON
BOARD OF EDUCATION ACT, 1994

Mr Winner moved second reading of the following bill:

Bill Pr151, An Act respecting the Board of Education for the City of London.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Winner moved third reading of the following bill:

Bill Pr151, An Act respecting the Board of Education for the City of London.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

SIMCOE COUNTY
BOARD OF EDUCATION ACT, 1994

Mr Wessinger moved second reading of the following bill:

Bill Pr153, An Act respecting the Simcoe County Board of Education.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr Wessinger moved third reading of the following bill:

Bill Pr153, An Act respecting the Simcoe County Board of Education.

The Deputy Speaker: Carried? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

OSHAWA DEAF CENTRE INC. ACT, 1994

Mr O'Connor, on behalf of Mr Mills, moved second

reading of the following bill:

Bill Pr154, An Act to revive Oshawa Deaf Centre Inc.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

Mr O'Connor, on behalf of Mr Mills, moved third reading of the following bill:

Bill Pr154, An Act to revive Oshawa Deaf Centre Inc.

The Deputy Speaker: Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

House in committee of the whole.

MUNICIPALITY OF METROPOLITAN TORONTO
AMENDMENT ACT (STREET VENDING), 1994

LOI DE 1994 MODIFIANT LA LOI
SUR LA MUNICIPALITÉ
DE LA COMMUNAUTÉ URBAINE
DE TORONTO (VENTE DANS LA RUE)

Consideration of Bill 183, An Act to amend the Municipality of Metropolitan Toronto Act / Projet de loi 183, Loi modifiant la Loi sur la municipalité de la communauté urbaine de Toronto.

The Chair (Mr Gilles E. Morin): Are there any amendments, and if there are, to which sections are there amendments?

Mrs Elinor Caplan (Oriole): On section 1 of the bill, I have two amendments.

The Chair: Are there any further amendments? Section 1 of the bill, Mrs Caplan.

Mrs Caplan: I move that clause 90.1(b) of the Municipality of Metropolitan Toronto Act, as set out in section 1 of the bill, be struck out and the following substituted:

“(b) designating any area in which all highways under their jurisdiction, or portions thereof, are removal zones.”

These amendments I'm putting forward were proposed by counsel for Metropolitan Toronto. They clarify the legislation and I believe there's agreement. The ministry has agreed, and other than that, I don't think they require any further discussion.

The Chair: Are there any further questions or comments? Shall the amendment carry? Carried.

You have some more amendments, Mrs Caplan.

Mrs Caplan: I move that clause 90.2(2)(g) of the Municipality of Metropolitan Toronto Act, as set out in section 1 of the bill, be amended by striking out “a valid licence” in the second and third lines and substituting “any applicable licence.”

This is to fully and further clarify the legislation to make it clear that this will allow all the municipalities within Metropolitan Toronto to set up a permitting scheme for the distribution of vendors across their municipalities.

This amendment as well was recommended by solicitor for Metropolitan Toronto. The minister and the ministry approve, and I don't believe any further debate is required.

The Chair: Any further questions or comments? Shall

the amendment carry? Carried.

Shall section 1, as amended, carry? Carried.

Shall sections 2 and 3 carry? Carried.

Shall the title carry? Carried.

Shall I report the bill, as amended, to the House? Agreed.

1620

LOAN BROKERS ACT, 1994

LOI DE 1994 SUR LES COURTIERS EN PRÊTS

Consideration of Bill 152, An Act to prohibit certain types of payments to Loan Brokers / Projet de loi 152, Loi interdisant aux courtiers en prêts d'exiger certains types de paiements.

The Chair (Mr Gilles E. Morin): Are there amendments to the bill? If so, to which part of the bill?

Mr Noel Duignan (Halton North): I have two amendments. The amendments apply to section 1 of the bill and section 2 of the bill.

The Chair: Are the two amendments presented in the same document that you've given the table?

Mr Duignan: Yes, I tabled the two amendments, both the English and French version, with the table.

The Chair: Could you read your amendment, Mr Duignan, on section 1?

Mr Duignan: I move that section 1 of the bill be struck out and the following substituted:

"Definitions

"1. In this act,

"'consumer' means an individual who is acting other than in the course of carrying on business;

"'loan broker' means a person who,

"(a) carries on the business of providing services or goods to a consumer to assist a consumer in obtaining a loan of money from another person; or

"(b) holds oneself out to be a person described in clause (a);

"'loan of money' does not include a loan of money made on the security of real estate."

The Chair: Mr Duignan has moved some amendments to section 1. Are there any questions, are there any comments?

Mr Gerry Phillips (Scarborough-Agincourt): This bill is of some considerable interest to me and I am pleased the government is proceeding with the bill. I think the purpose of the amendment is probably right, and that is to define loan brokers clearly. It does ensure that we're dealing with loan brokers dealing with not business loans but personal loans, so I think it's a good amendment to make sure that we're tackling the right problem.

Frankly, I've gotten, as I think many know, probably 500 or 600 individuals who have been—there's no other term for this—ripped off by these loan brokers, and 99.5% of them are personal loans. I think we're dealing with the fundamental problem here if we limit it to personal loans and it avoids a problem we might run into where there are legitimate businesses out there dealing

with businesses that could get swept up in this bill unless we're clear on it. So I think it's an amendment that's worth proceeding with.

The Chair: Any further questions or comments?

Mr Duignan: I agree with Mr Phillips that this particular amendment just narrows it down to exactly who we're dealing with. In fact, a good 90%, 95% of the problems we have received are on the personal loan problem, and we did not want to catch those legitimate business people that arrange loans for business.

The Chair: Any further questions, any further comments?

Mr Allan K. McLean (Simcoe East): I'd like to put a few comments on the record just briefly. I certainly agree with this member's Bill 152 and I commend the member for Scarborough-Agincourt. But I also commend the government for bringing it forward, because I think it's an important bill.

In my area I had a lot of people that have been taken, and I think that to change this—and the amendment number 2 that I want to refer to with regard to the name and address and telephone number of the loan broker and the name of the consumer and the names of the person from whom the loan broker will attempt to obtain the loan for the consumer.

I'm pleased to see these amendments brought forward to try and protect those people out there that this bill was intended to protect.

The Chair: Any further questions or comments? Shall the amendment carry? Carried.

Shall section 1, as amended, carry? Carried.

I believe you have another amendment, Mr Duignan.

Mr Duignan: This is a fairly lengthy amendment. It's some seven pages in length, so you're going to have to bear with me while I read through it.

I move that section 2 of the bill be struck out and the following substituted:

"Advance payments prohibited

"(2) No loan broker shall require or accept any payment or any security for a payment, directly or indirectly, from or on behalf of a consumer in respect of a loan of money until the consumer has actually received the loan.

"Security arrangement void

"(2) Every arrangement by which a loan broker takes security in contravention of subsection (1) is void.

"Disclosure of charges

"2.1 Before providing services or goods to a consumer to assist a consumer in obtaining a loan of money from another person, a loan broker shall provide to the consumer a clear statement in writing showing,

"(a) the name, address and telephone number of the loan broker;

"(b) the name of the consumer;

"(c) if known, the names of the persons from whom the loan broker will attempt to obtain the loan for the consumer;

"(d) the amount of the loan;

“(e) the date by which the loan will be made to the consumer; and

“(f) the amount that the loan broker will charge the consumer for arranging for the loan, expressed as a sum or in dollars and as a percentage of the amount of loan.

“CIVIL REMEDIES

“Demand

“2.2(1) A loan broker who receives a payment in contravention of section 2 shall, on the demand of the person who made the payment, refund it to the person.

“Same, security

“(2) A loan broker who receives security for a payment in contravention of section 2 shall, on the demand of the person who provides the security, return it to the person.

“Form of demand

“(3) A demand for a refund or for the return of security may be made in writing, verbally or by any other means.

“Time of receiving demand

“(4) A demand for a refund or for the return of security shall be deemed to have been received,

“(a) on the day that it was sent, if it was made by registered or electronic mail; or

“(b) on the day that it was made, if it was made in the form of a verbal message left on a telephone answering device or system or left with a message service.

“Time for compliance

“(5) A loan broker who receives a demand for a refund or for the return of security shall make the refund or return the security, as the case may be, within five days of receiving the demand.

“Recovery of payment

“2.3(1) If a loan broker has received a payment in contravention of section 2, the person who made the payment may recover it in full in a court of competent jurisdiction, whether or not the person has made a demand for a refund.

“Judgement

“(2) In a judgement for the recovery of a payment under subsection (1), the court shall order that,

“(a) the plaintiff recover the payment in full without any reduction for services or goods that the defendant may have provided to the plaintiff in respect of the payment; and

“(b) the defendant pay the costs of the proceeding, despite section 131 of the Courts of Justice Act.

“Exemplary damages

“(3) In the judgement, the court may order exemplary or punitive damages.

“Amount

“(4) The amount of the exemplary or punitive damages shall be the lesser of,

“(a) \$1,000 or the amount of the payment under subsection (1) that the court orders the plaintiff may recover from the defendant, whichever amount is greater; and

“(b) an amount that results in a judgement under this

section that is equal to the monetary jurisdiction of the court.

“Return of security

“2.4(1) If a loan broker has received security for a payment in contravention of section 2, the person who provided the security may obtain a judgement from a court of competent jurisdiction, whether or not the person has made a demand for the return of the security.

“Judgement

“(2) Subject to subsection (3), in a judgement under subsection (1), the court shall order that the defendant return the security to the plaintiff without any compensation for services or goods that the defendant may have provided to the plaintiff in respect of the payment mentioned in subsection (1).

“Same, no security

“(3) If the defendant has disposed of the security in whole or in part, the court shall order that the plaintiff recover from the defendant the monetary value of the security without any reduction for services or goods that the defendant may have provided to the plaintiff in respect of the payment mentioned in subsection (1).

“Same, costs

“(4) In the judgement, the court shall order that the defendant pay the costs of the proceeding, despite section 131 of the Courts of Justice Act.

“Exemplary damages

“(5) In the judgement, the court may order exemplary or punitive damages.

“Amount

“(6) The amount of the exemplary or punitive damages shall be the lesser of,

“(a) \$1,000 or the amount that the court orders, whichever amount is greater; and

“(b) an amount that results in a judgement under this section that is equal to the monetary jurisdiction of the court.

“Officers, directors

“2.5 The officers and directors of a loan broker that is a corporation are jointly and severally liable for the remedy in respect of which a person is entitled to commence a proceeding against the loan broker under section 2.3 or 2.4.

“No waiver

“2.6 This act applies despite any agreement or waiver to the contrary.

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“ENFORCEMENT

“Investigators

“2.7(1) The minister responsible for the administration of this act or a person authorized in writing by the minister may appoint any person to be an investigator for the purposes of this act.

“Certificate of appointment

“(2) The minister responsible for the administration of this act or a person authorized in writing by the minister shall issue to every investigator a certificate of appoint-

ment bearing the minister's signature or a facsimile of it.

"Police officers

"(3) Police officers, by virtue of office, are investigators for the purpose of this act, but subsection (2) does not apply to them.

"Proof of appointment

"(4) Every investigator who exercises powers under this act shall, upon request, produce a certificate of appointment as an investigator or identification as a police officer, as the case may be.

"Investigation

"2.8(1) For the purpose of carrying out an investigation, an investigator may,

"(a) subject to subsection (2), enter any place that the investigator believes on reasonable grounds contains evidence of an arrangement under which a loan broker is to assist a consumer in obtaining a loan of money from another person;

"(b) inquire into all financial transactions, records and other matters that are relevant to the arrangement under which a loan broker is to assist a consumer in obtaining a loan of money from another person;

"(c) demand the production for inspection of anything described in clause (b).

"Entry to dwellings

"(2) An investigator shall not, without the consent of the occupier, exercise a power to enter a place that is being used as a dwelling, except under the authority of a search warrant issued under section 158 of the Provincial Offences Act.

"Time for exercising powers

"(3) An investigator shall exercise the powers mentioned in subsection (1) only during business hours for the place that the investigator has entered.

"Written demand

"(4) A demand mentioned in clause (1)(c) shall be in writing and shall include a statement of the nature of the things required.

"Obligation to produce

"(5) If an investigator makes a demand, the person having custody of the things shall produce them to the investigator.

"Removal of things produced

"(6) On issuing a written receipt, the investigator may remove the things that are produced and may,

"(a) review or copy any of them; or

"(b) bring them before a justice of the peace, in which case section 159 of the Provincial Offences Act applies.

"Return of things produced

"(7) The investigator shall carry out any reviewing or copying of things with reasonable dispatch, and shall forthwith after the reviewing or copying return the things to the person who produced them.

"Admissibility of copies

"(8) A copy certified by an investigator as a copy made under clause (6)(a) is admissible in evidence to the same extent, and has the same evidentiary value, as the

thing copied.

"Assistance

"(9) An investigator may call upon any expert for such assistance as he or she considers necessary in carrying out an investigation.

"Computer search

"(10) For the purpose of carrying out an investigation, an investigator may use any data storage, processing or retrieval device or system belonging to the person being investigated in order to produce a record in readable form.

"Assistance required

"2.9(1) An investigator may require information or material from a person who is the subject of an investigation under section 2.8 or from any person who the investigator has reason to believe can provide information or material relevant to the investigation.

"Disclosure

"(2) Despite section 17 of the Freedom of Information and Protection of Privacy Act and section 10 of the Municipal Freedom of Information and Protection of Privacy Act, the head of an institution within the meaning of these acts shall disclose to the investigator the information or material that the investigator requires.

"No obstruction

"(3) No person shall obstruct an investigator who is exercising powers under this act.

"Records

"(4) A person who is required under this act to produce a record for an investigator shall, on request, provide whatever assistance is reasonably necessary, including using any data storage, processing or retrieval device or system to produce a record in readable form.

"Disclosure of information

"2.10(1) A person engaged in the administration or enforcement of this act may disclose personal information to a consumer if the information is relevant to the consumer's rights under this act.

"Non-compellable witness

"(2) No person engaged in the administration or enforcement of this act shall be required to give testimony in any civil proceeding with regard to information obtained by the person in the course of performing duties or exercising powers under this act.

"Offences

"2.11(1) Every person who contravenes subsection 2(1), section 2.1 or subsection 2.2(5) or 2.9(3) is guilty of an offence.

"Same, corporations

"(2) Every officer or director of a corporation is guilty of an offence who,

"(a) knowingly causes, authorizes, permits or participates in the commission by the corporation of an offence mentioned in subsection (1); or

"(b) fails to take reasonable care to prevent the corporation from committing an offence mentioned in subsection (1).

"Penalty, non-corporations

"(3) A person who is not a corporation and who is convicted of an offence under this act is liable to a fine of not more than \$25,000 or to imprisonment for a term of not more than one year, or to both.

"Same, corporations

"(4) A corporation convicted of an offence under this act is liable to a fine of not more than \$100,000.

"Limitation

"(5) No proceeding shall be commenced under this section more than two years after the time when the subject matter of the proceeding arose.

"Regulations

"2.12 The Lieutenant Governor in Council may make regulations,

"(a) exempting any person or class of persons from any or all of the provisions of this act and the regulations;

"(b) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this act."

The First Deputy Chair (Ms Margaret H. Harrington): Questions and comments on Mr Duignan's amendment to section 2?

Mr Phillips: First I want to commend the member, who I thought just gave quite an inspired reading of the amendments. I'd want to first congratulate him on the speech and say that, as we discussed earlier, the whole purpose of this bill is to prohibit organizations from promising they will get an individual a loan—we've clarified that: this is for individuals, it's not for business loans for individuals—demanding an upfront fee, telling people that they will get a loan in return for that fee, never getting the loan and keeping the fee.

I'm sure many members in this House—I think virtually every member in this House—have had many people in their own riding come to them having been ripped off as a result of it. So the second section of the bill is designed to specifically prohibit that and to have the recourse, if an offence has taken place, to recover the money and to make certain that the money is recovered.

I am supportive of the amendments to the second section. I understand these are not unusual proceedings, that they'll take place in other similar areas of commercial law, so we're not kind of plowing brand-new ground here. But we do have in this amendment clear procedures where, if somehow or other an individual has paid an upfront fee—and it will be illegal now to demand and get an upfront fee—they can recover it on a reasonable basis, and where businesses will clearly understand that they no longer can demand of individuals an upfront fee and then never, ever get them a loan.

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I'm frankly pleased that the government has spent time on getting the language that it's comfortable with here. I think it's important that we not only pass a bill, obviously, that reflects the intent of the bill but actually will be workable, and I'm satisfied that this bill will in fact be workable in law.

So I'm very pleased. I think we are now within sight

of a solution. I think it happens to be timely, because my experience is that the time when sometimes people are most desperate for money happens to be this time of year, and when people are perhaps most susceptible is in the next few months. I think it's not only a good bill but it also happens to be a timely bill.

The First Deputy Chair: Are there any further questions or comments to this amendment?

Ms Evelyn Gigantes (Ottawa Centre): If I might, I'm wondering whether there is a process by which we could find out whether this is the longest amendment ever placed in a Legislature in the world and might qualify as an addition to the Guinness Book of Records.

The First Deputy Chair: Perhaps the clerk, maybe at her leisure, might be able to respond to you at another time. Thank you. The parliamentary assistant.

Mr Duignan: I'm, again, very pleased to support this bill. Indeed, section 2 also provides for civil remedies, that someone actually can go to court and get redress in the court. We believe that this is very important, and it also empowers the individual to do this as well.

It also makes it very clear that not only a corporation that acts as a loan broker but any individual who works for the corporation and knowingly offers a service is committing an offence as well. So we also cover that particular part of it. I believe it's a good bill, I believe it's time and I believe it's long overdue. I'm very pleased, on behalf of the government, to support this bill.

The First Deputy Chair: Any further questions or comments to Mr Duignan's amendment? Seeing none, shall Mr Duignan's amendment to section 2 of the bill carry? Carried.

Shall section 2, as amended, carry? Carried.

Shall sections 3 and 4 carry? Carried.

Shall the title of the bill carry? Carried.

Shall the bill, as amended, carry? Carried.

Shall I report the bill, as amended, to the House? Agreed.

ENDANGERED, THREATENED AND VULNERABLE SPECIES ACT, 1994

LOI DE 1994 SUR LES ESPÈCES VULNÉRABLES, MENACÉES OU EN VOIE DE DISPARITION.

Consideration of Bill 174, An Act to revise the Endangered Species Act and to protect Threatened and Vulnerable Species / Projet de loi 174, Loi révisant la Loi sur les espèces en voie de disparition et visant à protéger les espèces vulnérables et les espèces menacées.

The First Deputy Chair (Ms Margaret H. Harrington): Are there any amendments to this bill, and, if so, to which sections?

Mr Jim Wiseman (Durham West): I have an amendment to subsection 3(4) of the bill, an amendment to section 12—

The First Deputy Chair: Excuse me, Mr Wiseman, before we proceed, you will need to send the table a copy of your bill.

Mr Wiseman: The bill or the amendment?

The First Deputy Chair: No, the amendments. Mr

Wiseman, before we proceed, could you indicate which sections you have amendments to?

Mr Wiseman: There are amendments to subsection 3(4), subsection 12(1), section 12 and section 14 of the bill. Are we all set over there?

The First Deputy Chair: Before we proceed to section 3, I would like to ask if there are any amendments. There are no amendments, but are there any questions or comments to either section 1 or 2 of this bill?

Mr Bill Murdoch (Grey-Owen Sound): Is this the second bill that we're looking at in committee in the whole?

The First Deputy Chair: It's the third bill.

Mr Murdoch: Okay. We've done the other two. I just wanted to make sure of that because we were told that this would be the last one in committee of the whole, and that's fine. This is the third one that we've done in committee of the whole? I just want to make sure. I have a few comments I'd like to make about the bill.

Mr Wiseman: Do I not get to make some comments first?

The First Deputy Chair: At this point in time I have asked if there are comments to either section 1 or 2 of the bill.

Mr Murdoch: I believe the mover of the bill wanted to make some comments on the bill first and I thought I would like to make my comments on the purpose of the bill also, but I certainly would give way to the mover first to make his comments.

Mr Wiseman: I'd like to make some comments.

The First Deputy Chair: What I'd like to do, with the committee's indulgence, is to allow the mover or the author of the bill to comment on sections 1 and 2 and then I will ask for your comments.

Mr Murdoch: All right. I'll let the member make his comments on the bill.

Mr Wiseman: I can make some comments on the bill. I'd just like to thank the committee for bringing this bill forward.

I'd like to just briefly talk about the bill because it's important to understand that this bill is different from the current endangered species bill, which is very short: one and a half pages. It expands the current bill by adding "threatened and vulnerable species," which I think is important because if we can start the remedial action to protect species before they become on the verge of extinction, this will save money and effort in the long run.

I'd just like to talk a little bit about this bill in terms of what it's set to do. It begins by allowing the Lieutenant Governor in Council to make regulations with regard to declaring species or animals or plants to be endangered if, on the basis of biological assessment, the species is determined to be at risk or extinction by reason of destruction of its habitat, over-exploitation, disease, predation, use of chemicals, or any other factors that are considered relevant.

It also declares a species or animal to be threatened on

the basis of all of the previous assessments as well, and it also allows a species to be declared vulnerable if on the basis of the above they look like they're on the verge of being reduced in terms of numbers.

It also allows the Lieutenant Governor to make regulations governing the protection, conservation and survival of these species. In order to do that, the Minister of Natural Resources may establish an advisory committee. Now, this is different from the current bill. The current bill just gives the minister the ability to declare something on the verge of extinction, whereas the advisory committee will allow the minister to strike a committee which could include farmers, could include hunters and anglers, could include people for Ducks Unlimited; a whole host of people who could be on this committee to advise the minister as to the status of the species that is proposed to be declared endangered, threatened or vulnerable, and that committee would advise the minister.

It would also be a committee that could review the status of the species declared to be endangered, threatened or vulnerable, and review the process made in the development and implementation in recovery plans. So they would be involved in that process, which is important because they're not involved now. I've heard a number of complaints from a number of different groups that they need to be involved, and so the ministry's advisory committee is a forum where they can have improved access to the minister and to the minister's committee—something they have not now—and they could also examine the report to the minister on any matters that he or she refers to it.

Not only would they be part of the process, they would also be able to be part of the critique of the process in terms of what the advisory committee would be recommending to the minister.

Further to that, this advisory committee would conduct a review at least once every five years—something that is not happening now—and then a status report would have to be created and then the minister would have to declare whether it's an emergency situation or what exactly the minister was going to do. The minister would also be able to create a recovery plan, and that recovery plan would have to be done in consultation with the groups that are involved in the entire process of protecting the habitat and so on.

1650

Another aspect of this bill is that the bill would also curb the trade and sales of endangered species. I think this is an important issue when you start to consider that wildlife is being killed for its organs to be transported out of the country or to be used by different groups of people for medicinal reasons. They think it's going to help them. So there is a prohibition in the taking of endangered species and there is a prohibition against the destroying of and the interfering with these habitats, and there's also a section that says, "No person shall buy, sell, possess or transport endangered or threatened species of plants except under the authority of an authorization obtained in accordance with the regulations."

It does not say that farmers cannot continue to grow plants. It says that what is there will continue. But what

it does say is that where these species are becoming threatened or vulnerable, then there has to be some care taken, and if there isn't, if reasonable precautions to conserve wildlife are not taken and where there is a deliberate destruction of habitat of species, then there are fines.

These fines are \$100,000 a day for an individual and \$200,000 a day—up to, but that's up to the courts to decide. That court could also say that you have to rehabilitate the area. So it does give the courts the option of protecting species by authorizing and by implementing a restoration or a rehabilitation.

Now, these fines are in line with some of the other fines that are out there today, for example, \$2 million for a corporation that spills hazardous waste, \$150,000 for species at risk. The federal Fisheries Act has \$1 million for destroying fishing habitat, and the Ontario Water Resources Act is consistent with the Environmental Protection Act; it has fines of \$2 million or more. So these fines are in keeping with the fines that are already possible.

The minister has a year to decide what to do, but if there is an endangered habitat, if there is an endangered area, then the minister may acquire the land, and there's a section, section 15, that says it "may acquire land or any interest in land, or enter into agreements relating to land management, for the purpose of protecting, managing or restoring species of animals or plants declared by regulation to be endangered, threatened or vulnerable...."

So when you talk about this, there is a recognition that property rights are important. There's a recognition that property rights have to be recognized, and this bill says to the minister very clearly, "You must talk to these people, you must have an agreement with these people and you must compensate them in some way or come to some kind of agreement that would allow them to continue to"—

The First Deputy Chair: To the member for Durham West, I would just like to remind you—

Mr Wiseman: I'm just wrapping up. I'm just about done.

The First Deputy Chair: —that this is not a third or second reading debate.

Mr Wiseman: Yes, and I'm just trying to outline to the members that this bill is a bill that fulfils a lot of the needs that are out there in terms of endangered species. I would like to respond to some questions in the future.

The First Deputy Chair: We are dealing with sections 1 and 2 of the bill, and section 1 does include the purpose clause, so I have allowed a little leeway here. Are there any other questions or comments to sections 1 or 2 of the bill?

Mr Michael A. Brown (Algoma-Manitoulin): I think what Mr Wiseman's proposing here today is a valuable idea. On second reading I suggested that what he had put forward was supportable at least in principle. But we had some concerns, and one of the concerns I think is the same as the Canadian Environmental Law Association. In writing Mr Wiseman, they suggested that what needed to happen, to paraphrase them, is that we needed to have

committee hearings so that we could understand where improvements might be made in Mr Wiseman's bill and what unexpected ramifications might come upon us through this bill. There are some people I think we should hear from.

It's a private member's bill. I commend Mr Wiseman for bringing that forward, but the problem with it is that members have not had the benefit even of having the Ministry of Natural Resources before us to answer questions and to explain how they might enforce it, how it might work in the real world, what regulations would stem from it, those kinds of concerns. We haven't had the Ministry of Agriculture, Food and Rural Affairs before us to represent its views on this particular bill. We haven't heard from the Ontario Federation of Agriculture. They may have some views that would be helpful in this regard. We haven't heard from many, many groups. The Federation of Ontario Naturalists themselves, many of the environmental groups, may have been helpful to members.

I think at this point one of the problems members have with dealing with this bill, to be frank, is that we haven't had the opportunity to sit at committee and to hear deputations from people who have suggestions on how this bill may be improved and what ramifications or unintended ramifications it might have.

Secondly, I think Mr Wiseman's aware that there's a federal initiative going on as we speak, and I think it was announced the exact same day that Mr Wiseman's bill received second reading in this place. What I understand the federal initiative to be is to establish a framework so that we can have laws related to endangered species consistently across the country. Right now, there are but four provinces that have any type of endangered species act. It seems to me to make good sense to have a framework which all provinces can agree with so that the rule in Quebec is the same as the rule in Ontario and the rule in Manitoba, so that we can end up with a consistent pattern of dealing with endangered species.

I also recognize there's some urgency in dealing with this issue. We've waited quite a while for improvements to the present act, and I congratulate the member. I just have some questions, and I would like to know from the member, when he has a chance to respond, what the Ontario Federation of Agriculture has said, what perhaps the Ontario Federation of Anglers and Hunters, some of those various groups that we tend to see in committee all the time about issues that relate to the management of our resources, have to say about this particular bill, if they are in fact in favour of this bill and how it might actually work.

The First Deputy Chair: Further comments on sections 1 or 2 of this bill?

Mr Murdoch: It appears to me that the government is making yet another covert attempt to undermine the property rights of Ontario taxpayers. Under the auspices of a bill to protect endangered, threatened and vulnerable species, what this government is really asking for is more power to expropriate any piece of private land it may haphazardly desire to get its hands on.

Last week, my colleague the member for York Mills

made a very interesting point about the development of legislation by this government. Mr David Turnbull pointed out that this government employs people with an incredible ability to make up emotionally invoking names for bills brought forward in this House. David Turnbull was referring at that time to Bill 171, sustainable forests, asking how anyone could possibly disagree with a government bringing forward a bill to ensure sustainable forestry. Today we are witness to the exact same tactic with Bill 174, which proposes to protect not only endangered species but now threatened and vulnerable species as well. Who could possibly disagree with this well-meaning proposal?

I have to agree that we should have a minister of good titles of bills, because the name of this one is nothing short of brilliant. What the title of this bill does not point out is the increased power it gives to the minister to acquire private lands, not unlike the ministerial authority to designate wetlands and areas of natural and scientific interest, basically amounting to any piece of land the minister may desire, using extremely subjective terms such as "vulnerable and threatened."

1700

The rights associated with property ownership form one of the basic foundations of a democratic society. It is no secret that I am a strong supporter of private property rights, which I feel are intrinsic to the free enterprise economic structure of this country. Last year even Russia enshrined property rights for their first truly democratic constitution. Apparently the Russians understand that property rights promote social stability and economic growth. Unfortunately, this strand of logic, accepted by countries around the globe, continues to elude the Ontario government.

Good legislation should provide for balance and fairness between competing interests. I support the goal of environmental protection. However, this goal needs to be balanced against the legitimate rights of property owners.

Fairness demands that, at the very least, if individual rights are taken away for the so-called public good—or stolen, as the case may be, using this government as an example—then public funds should be used to compensate those whose rights were taken away. I've argued this point before and I will argue it again: The government has no right to promote its own socialistic theory through what amounts to expropriation without compensation.

Even though the title sounds all fuzzy and nice, this bill is actually a wolf in sheep's clothing. The increased subjective authority it offers to the minister and his bureaucrats is downright dangerous for land owners in this province. I understand this is hard for you to understand over there, because you have no democracy left over there.

This government is continually bowing down to pressure from special-interest groups. It's not surprising that you have the support of the extreme environmental groups on this one, the same as several other pieces of legislation which you have managed to ram through over the course of your socialistic regime.

What happens when we add all those environmental regulations together is that there is absolutely no balance or fairness left between the competing interests of environmental protection and legitimate property rights. Once again, you've gone way overboard in your ever-increasing quest to be the champions of the environment.

The name of your party should be changed from the New Democratic Party to the No Definition Party. Vague is better; less is more. I know it's going to be hard for you people to understand across the floor.

For example, the bill now includes vulnerable and threatened species. Exactly who defines vulnerable, threatened and endangered—

Mr Brown: That's New Democrats.

Mr Murdoch: —and when does a species fit into either of these categories? Yes, my friend from the Liberals says maybe endangered is some of the New Democrats.

"A status report shall be prepared" on proposed species, but which species? How many will be included? Why don't we just say that everything is endangered, threatened and vulnerable and leave it at that?

"Every person shall take reasonable precautions...." How exactly do you define reasonable precautions?

The problem with this bill is it has been thrust through us here today, again, a lot like the bill they put through the House, the ammunition bill. No chance for discussion, just rammed it through the House also. Again, we've had not a chance to hear from the affected groups, like the OFA, like the OFAH. This bill will affect them directly, and they are going to have no chance to even talk about it, to even have a chance for us to listen to them.

So I can't support this bill, and we will have some more questions as the day goes on. I know some of the rest of the people in our party want to make some suggestions, so I will turn it over to Chris, if you want to say a few words.

The First Deputy Chair: Now we're looking for further questions or comments to sections 1 or 2. Are there any further questions or comments, in rotation?

Mr Chris Hodgson (Victoria-Haliburton): It gives me pleasure to stand up to address Bill 174, a private member's bill. I find it strange, with such a title, the Endangered, Threatened and Vulnerable Species Act, the NDP wouldn't want to bring this in as their own government bill.

When you look at the history that there was a private member's bill similar to this introduced by Mr Wildman when he was in the opposition but he didn't act upon it when he was the minister, again, Mr Hampton hasn't acted upon it as the minister, yet we see a private member's bill wanting to be rushed through at the last minute without any committee hearings or public hearings to hear how this bill is going to affect the people in Ontario.

We received a fax into my office from the Canadian Endangered Species Coalition and I'll just read it:

"On behalf of the Canadian Endangered Species Coalition, I'm writing to urge you and your colleagues to support Bill 174, amendments to the Endangered,

Threatened and Vulnerable Species Act. We are aware Bill 174 will receive second reading and be put to a vote in the Legislature tomorrow."

I received this from the government side. What's so strange about this is that they're assuming that this bill will be voted upon. Why is it that the opposition's always expected to approve? We don't set the government timetable; the government sets that. They want us to vote without hearing how this act will affect farmers in my riding or right across Ontario, or anglers or hunters, or people who are intimately involved and earn their living from or whose recreational activity is spent in the wild or rural Ontario.

This act, as my colleague from Owen Sound summed up, has the potential to seriously further erode property rights in this province. I'd like to hear the response of the Minister of Natural Resources or the Minister of Agriculture, Food and Rural Affairs. I think this bill should have been put to committee long ago to have public input and government input, to find out what the costing of it's going to be, what the future impacts are going to be. It's fine for the member, in his private member's bill, to stand up and assure us that everything's going to be fine with this, but it's not responsible for us to just rush this through in one day.

This bill needs further examination, and I just want to say that I concurred fully with my colleague from Owen Sound when he eloquently summed up his opinions about the purpose of this bill. We look forward to further discussion, but we feel that this bill is inappropriate to be rushed through in one day. It should have gone out to committee hearings long ago and had the people of Ontario examine it in detail.

Mr Paul Klopp (Huron): I'd like to take a couple of minutes to talk about this bill. I think anybody agrees that we all want to take care of our country and our environment. As a farmer, I know we spend a lot of time worrying about the future. I'm the fifth generation living on a farm. My great-great-grandfather came here because their country actually at that time wasn't taking care of their environment very well. I think taking care of the environment has been drilled into many of us.

However, this bill is, I think, being rushed a little bit too fast. I do think that we need to talk about this bill more. Just to remind people, it is a private member's bill. This government actually has done more for private members—this house is represented by 130-plus members, each in their own riding. Political stripes aside, they're members of Parliament and they do their job, as this member is doing on an issue which he cares about and which I think we all care about.

But I think at the same time we need to walk slowly and carefully. A lot of good ideas have been rushed and end up that you fall and you trip. I have not heard anything from the CFFO, the Christian Farmers Federation of Ontario, and the OFA and other commodity groups, and I think that's the very least that we should do. If it's a good bill and it goes through that process, then so be it, then it can pass.

But at this point in time when I think of those things people in my own riding haven't had the opportunity to

discuss—it says on page 4 of the bill, section 13, "Every person shall take reasonable precautions to conserve vulnerable species of plants and animals and their habitats." That's great, I totally agree with that, but then when you go on to who's going to decide—again, farm organizations, which also care, have not had an input. I don't even recall anything coming from the Ministry of Natural Resources, from different views. It has been pointed out by some colleagues across the floor and all sides that this issue has not been thoroughly discussed, and that would be very unfortunate.

I recall that many bills do have amendments, friendly amendments, because we don't always get it right as members of Parliament on all sides of the House. Although the intent is good and it passed first and second reading, I think there is a process that we have here in committee of the whole and I firmly believe that the best thing to do is to walk slowly and do a little bit more homework. I think the member himself would like to know that he has a bill that everyone would like more.

1710

There are groups out there that don't care about the environment, and no one's discussing that. I have no time for them and I don't believe anybody in this House has any time for those kind of people who put greed ahead of conservation. The good news is that many, many corporations now, the multinationals even that I have many troubles with because they don't care, they go from country to country, even them, the odd one has discovered that the global marketplace is also getting to be a global marketplace that cares about the environment and they have realized they just can't do so much against the environment.

This government has done a lot to make companies be self-respecting of the environment. I think we've been blamed by opposition members that we've done too much on that, but the fact of the matter is, we need to do that for the environment. This bill, though, at this time, does not have enough discussion. I feel that for those reasons we need to walk slowly and more carefully, and that's the reason I won't be supporting the bill.

I take a little offence with some of the discussion that it's a government bill and it's some kind of a sneak-it-in-the-back-door. I remind all members that it is a private member's bill and we're all entitled to do what we would like to do because that's what one of our jobs is, so let's leave it at that. As Mr Hodgson pointed out, it is a private member's bill, so let's remember that. But in weighing everything, I can't support the bill now and I won't be supporting the bill at the present time.

Mr Allan K. McLean (Simcoe East): I want to relay some questions to the member who's supporting this bill. It's Mr Wiseman's bill. There are some questions to be asked with regard to this bill and I thought I could put them on the record and you could give me some answers when you get the opportunity in committee of the whole.

I agree with the purpose, but to a certain extent we're already doing what this bill calls for under the current Endangered Species Act and under agricultural and natural resources policies which dictate methods of species management and interaction.

We go on to section 3, the three classes. Inclusion of "threatened" and "vulnerable" may create further confusion, such as, will regional fluctuations in species populations cause restrictions across the province? Who decides? These categories are far too subjective. Is a species vulnerable just because somebody says so? When does it move from being "vulnerable" to being "threatened"?

Subsection 5(1), the status reports: "A status report shall be prepared" on proposed species prior to when final declaration is made. How many species will be covered in total? There are already hundreds of endangered species. How big will the list become when we factor in "threatened" and "vulnerable"? Is this not a duplication of work, since the federal government and many conservation organizations already compile these data? Is there really a need for the province of Ontario to reinvent the wheel if the data already exist? How much will these status reports cost?

We look at section 6, the mandatory recovery plans. "The minister shall prepare and implement a recovery plan" upon notification that a species is threatened or endangered. The minister is bound to act. Does such action take precedence over other ministry business or other recovery plans? Will reasonable limits be placed on cost considerations? Should spending on social programs be curtailed to meet the requirements of this very bill that you are presenting?

Section 7, order to cease activity: Within what limits? How far-reaching is this power? Can an agricultural/mining/lumber operation be halted indefinitely to meet the requirements of this section?

Section 13, duty to conserve: "Every person shall take reasonable precautions to conserve vulnerable species...." Again, who defines "reasonable precautions"? Is this not highly subjective and subject to the judgement of the minister and/or the bureaucrat of the day?

Section 14, the offences and penalties: \$100,000 a day for individuals and \$200,000 a day for corporations. Given the extensive definition, all-encompassing, of plants and animals in section 2, a person or corporation could easily violate this act for an extended period of time without even knowing it. In such a case, the proposed penalties could far exceed the damage.

Without a full inventory of absolutely every plant and animal species, this act would be used to effectively shut down agricultural, mining and lumber operations across this province for an indefinite period of time, often without conclusive evidence.

Overkill on the part of the ministry personnel and legal staff must be prevented. There must be reasonable limits on the part of the ministry in obtaining a conviction. Due process must be adhered to. Just because the convicted individual must pay the legal expenses doesn't mean that the ministry has carte blanche to do whatever it pleases in order to obtain the conviction.

Ministerial authority to acquire land: The member touched on that in his opening remarks. How does this infringe upon private property rights? It's similar to the ministerial authority to designate wetlands and other

significant features. This provision is also included in Bill 175. It effectively places restrictions on subsequent land owners whether or not they change their minds. So if you change your mind after owning a piece of land for 20 or 30 years, you're still bound by the original agreement that was entered into with the government.

In summary, as expected, the bill has received support from environmental groups like the Wildlands League and the Save the Rouge Valley System. As was seen on other occasions, the government is trying to wrap itself in an environmental flag and claim a monopoly on environmental sensitivity.

While the purpose of this bill may be commendable, its discretionary and subjective nature is rather suspicious. In its present form, Bill 174 is entirely prohibitive and extends too much subjective authority to the minister and his or her bureaucrats. This bill follows in the footsteps of several pieces of NDP legislation which tilt the balance too far in favour of environmental protection. The NDP is again demonstrating the preference for non-use as opposed to wise use.

I have not seen a report from the Ministry of Natural Resources or any comments that it has. Nobody has seen a report from the Ministry of Environment and Energy or any comments that it may have. I have not seen any report or even any interaction with the Ontario Federation of Agriculture. Why have these people not been contacted and talked to? Why don't we have a report from them on this bill?

The only place for this bill to be is in committee, where we can have open and full hearings on it. I wanted to put those on the record so the member will have the opportunity to answer some of those questions.

Just briefly, with regard to section 2:

"plant" includes any stage in the biological development of a plant, fungus or lichen, alive or dead, and any parts or products of plants, and derivatives or goods made from plants;

"species" includes any subspecies or separate population."

Explain to the people what this is in that section.

Mr Wiseman: I just want to answer some of the questions from the member for Algoma-Manitoulin. He said that CELA does not support it and wants it to go to committee. That's not correct. I have been informed by CELA that they want this bill passed and they'd like to have it passed today.

I have here faxes from the World Wildlife Fund to Mr Hodgson, Mr McLean and Mr Jordan, and they say: "We understand that you intend to oppose this bill and possibly filibuster it at the legislative committee reading of it. We urge you not to do this." It's very strong support to have this bill passed, and passed today.

A couple of comments about some of the issues, cost: I think that's a legitimate question. Right now under the current Endangered Species Act everything that you say this bill will do it can do, but it does it when the species becomes on the verge of extinction. The only difference is that my bill says: "Don't wait that long. The costs become too high." How much does it cost to replace the

hawks in the Temagami area? It's in the thousands and hundreds of thousands of dollars range, and we had to fly them in. We had to fly them in by plane. We had to fly them into the Sault area by plane. We protect whooping cranes because they're on the verge of extinction; hundreds of thousands of dollars being spent. There's a list. You can go through a whole list of how much it costs if we wait till the species are on the verge of extinction. So we're going to pay more; if this bill does not pass, we are going to pay more.

1720

The other thing that you talk about is property rights. I think that's a very important point because right now, under the Expropriations Act, you could be expropriated. What this bill says is that an emergency order under section 1 expires on the day that is one year after the day on which it is made. I haven't known Tories in the past to be shy about expropriating. If you look in North Pickering, we have 23,000 acres of expropriated land to prove that.

Currently, there are 256 endangered species on the list. I don't know how many threatened and vulnerable species there are. That would be determined by the minister's advisory committee, and that committee is more democratic than what currently exists in the Endangered Species Act.

I would like to just make those comments and hope that we can move on and pass this bill.

The First Deputy Chair: Further questions or comments on sections 1 and 2?

Mr Brown: I would just like to thank the member for Durham West for that clarification. I had not received a letter from the Canadian Environmental Law Association saying that it had changed its intent from the original letter, but I believe he did not address my questions regarding the Ontario Federation of Agriculture, the Ministry of Natural Resources and the Ministry of Agriculture, Food and Rural Affairs and their input and what they were telling us about this bill. I think it's important that we get as much of the information out here before members this afternoon as we can.

The First Deputy Chair: Any further questions or comments?

Mr Murdoch: I don't think anyone here in this House objects to the principle of this bill. I think, again, the objectionable part about it is the way it's come into the House. The member who brought the bill in is here, so maybe we should have some more questions answered.

I'd like the member to tell us how much input he's actually had in discussions with the Minister of Agriculture, Food and Rural Affairs. I see the minister is here tonight, so he may want to comment on this later on and tell us about the communication you've had. Obviously, we haven't had a chance to have that communication because it hasn't sat in committee.

There's the Minister of Agriculture and there's also the Minister of Natural Resources. I'll let you answer those two questions, and there are many, many more that we'll get to in a minute. If you could tell us the times you've talked to them and sat down with this bill and said, "Do

you like it or don't you?" and maybe even give us some notes that they've given to you that show they do support this—as I say, this is the objectionable thing about this whole bill, the way it's come into the House. So maybe you could answer those two.

Mr Wiseman: This bill was introduced originally in 1992, so it's been floating around out there for a long time. Every member has had a copy of this specific bill since June 6, 1994. I have mail. I have done what I can do in terms of me, the individual member who does not have the staff available.

I have not heard comments back, I will tell you that, and in English law, in the tradition of this place, silence means consent. As far as I'm concerned, it's been out there. It's been circulated. I don't know if they've read it. I have not the resources to follow it up. I'll be honest about that. I followed it up with the people who have contacted me and they have made some suggestions and that is basically what I have done.

I'd also like to point out that this bill will be subject to the Environmental Bill of Rights. In other words, eventually it will be on the registry and the whole population will have the opportunity to comment on it.

I know that the Ministry of Natural Resources has reviewed this bill. I have been in contact with people at the Ministry of Natural Resources. I have spoken to the Ministry of Natural Resources with respect to this bill. I can tell you that they have been very helpful. As I said, I don't have the resources; they do. I've talked to them; they've been very helpful—on their time, I might add. The bill has gone through some vetting. If people don't choose to come back to me, I can't chase everybody.

The First Deputy Chair: Further questions or comments.

Mr McLean: I just wanted to say that I'm not so sure that I got many answers to some of the questions that I have put forward to you.

I wanted to say that, mostly people who have private members' bills—and my boating bill, I contacted the marine operators and got input from all the people who would be involved in that bill. I would have thought that we would have had some comments here today in writing from the federation of agriculture or from some groups other than phone calls that were made to our critic of Natural Resources. We haven't seen much.

I'm also curious to know if perhaps the Minister of Agriculture didn't write that speech for his parliamentary assistant. If he did, it's not a good indication that you've got much support on your side.

The First Deputy Chair: Further questions or comments on sections 1 and 2.

Mr Hodgson: I just want to follow up on my colleague from Simcoe. I believe that the member from the government who's introducing this private member's bill suggested somehow that there's filibustering. He read into the record a letter from the World Wildlife Fund about a filibuster. I highly resent that. This is a private member's bill. The government sets the government agenda. This is in committee of the whole. We have a right to get answers to our questions.

If he's somehow spending more time on politics to try to make it look like they have a monopoly on what's good for the environment with the special interest groups that have a legitimate concern for that, I believe it's misleading to those people as well as to this House to suggest in any way, shape or form that there's a filibuster.

This government, as everyone in Ontario knows, has changed the rules to allow for time allocation and closure. They've introduced closure 20 times since 1991. In the last two weeks, they've introduced closure four times on bills which they feel should have a priority and they don't want the public to have a closer look at.

On this private member's bill, the government's had, as mentioned by the member, over two years to introduce this into committee and bring it forth in a reasonable manner where the full light of day and scrutiny would show the people of Ontario the impact of this.

My colleagues have just mentioned a few of the questions. I have two pages of questions that I think that the people of Ontario need answers to before we can go ahead and say, "Yes, this bill lives up to its nice title."

I'm sure that the member opposite would have provided us with written documentation from all the groups that would be affected. I have nothing, other than his word that he received a fax from the World Wildlife Fund telling us not to hold it up.

We're supposed to, without knowing the details, allow this just to pass through and say, "Be happy; don't worry." I'm sorry, that's not what we're here for.

The First Deputy Chair: Any further questions or comments?

Mr Murdoch: I asked a few questions there and the member was kind enough to try to answer them for me, even over the heckling of his own members behind him who wouldn't let him answer the questions. That's unfortunate your own members won't let you answer. I can understand them heckling us and then saying we're filibustering. But when your own members behind you filibuster, it's unfortunate. But maybe he doesn't have the approval of all his members.

But what I heard from you then is, because the Ministry of Ag and Food and because the Ministry of Natural Resources didn't bother responding to you that you think they're in favour. If that's what you think, that's fine. I mean, that's your prerogative. I don't think that's right.

The other problem I have with you is, you mentioned how this bill's been around since 1992, first of all. But your bill was introduced in June, I believe—

Mr Wiseman: Reintroduced.

Mr Murdoch: Reintroduced as your bill. I don't know whether you had the first bill. But whatever, the bill we're dealing with today was introduced in June. I believe there's one more day left in this session. But we came back five weeks late. As it's been expressed in this House many times by the member right in front of me, that maybe you fellows could have got out of bed and come back in for those five weeks. We could have had this bill in the House and debated it. Maybe even a committee could even have had a couple of days.

You're saying that the Ministry of Natural Resources is on side because it didn't comment; Ag and Food is on side because it didn't comment.

Mr Wiseman: They did comment.

Mr Murdoch: Well, if the Ministry of Natural Resources commented—the member is yelling at me—I don't have the papers. Maybe it would have been a good idea to send them over to us and we could have understood a little better then, but you haven't done that. This would have been something that maybe you should have done.

1730

But let's look at some of the other organizations then. Where are the letters from the OFAH? Where are the letters from the OFA, the Christian Farmers Federation of Ontario? Even your own member mentioned that, which I forgot to do and which should have been mentioned. I ask you now then, member, are they on side? Have you got letters from them? I understand that you don't have a lot of staff, but you want a bill to go through here the second-last day of the House and you're telling us, "Well, it's fine because everybody likes it because nobody's said anything." Did you send copies of this bill to the OFA, the Christian Farmers and the OFAH, and what response did you get back?

Mr Wiseman: None.

Mr Murdoch: I'm asking you and you should explain that. He has yelled across the floor, "None," that he didn't receive any. In his wisdom, that means they don't care and they think it's all right. You realize that those three groups I just mentioned again commented quite extensively on Bill 163, so obviously they had concerns there. They weren't given a chance on this one. So how do you justify that you come back to this House five weeks late and now you're trying to put a bill through the House the last day and have had no consultation on this bill? Can you justify that? I'll ask you that question. That's a question.

The First Deputy Chair: Further questions or comments? We have the member for Durham West.

Mr Wiseman: I'd like to make a couple of comments and then I'm just going to sit down. First, this bill was originally introduced back in 1992. It died on Orders and Notices, which was okay, because I'd heard a lot of feedback on that bill. Then I had the bill rewritten and reintroduced.

I gave copies of the bill way in advance to the member for London North and she assured me that she would take it and advocate on behalf of that bill in your caucus. I gave a copy to the member for St Catharines, who assured me that he would take it back to his caucus and lobby on behalf of this bill in that caucus. In fact, I was assured by those two members on a regular basis that they were circulating this bill in your caucus. If they didn't do that, then that's unfortunate. I guess that's my problem. It's my fault for trusting people to do what they said they would do.

The other comment I would like to make is that this is a private member's bill and you need private members' hour to do it. My private members' hour was not going

to show up until the spring, and the member for Muskoka-Haliburton was kind enough to swap with me so I could bring this bill forward because it's an important bill. I've pointed out and I've tried to show that a lot of what's in this bill is in the current act without the protections for the individuals that are in this bill. The advisory committee, the length of time that you can declare an area as an emergency area, these are all in the bill that do not exist in the current act.

I believe that this bill, more than anything, protects the rights of the individuals and protects people's rights. Because it's becoming abundantly clear that the opposition does not want this to go forward, including some of my own members, this bill isn't going to go forward. I regret that, because it seems to me that within this bill, had it been studied—and it's been around long enough—knowing that it's going to come forward, I think you would have found that within the context of this bill are more rights and more protections than people currently enjoy within the Endangered Species Act as it exists now. In fact, I would go so far as to say that there may be greater rights built into this bill than exists in other forms of legislation, the federal fish act, the Environmental Protection Act, the Expropriations Act or any of these other acts.

So I would say to the members that it is a disappointment to me, and I know it's going to be a disappointment to all of the environmental groups who are here or watching it on TV or will find out about this, that this bill has been talked to death and that the problems that it would solve and the costs that it would avoid will not be avoided. We are standing here today with a bill that would prohibit the destruction of species long before they got to the really expensive level of being labelled extinct. I think that is something that is regrettable.

I don't accept your arguments or your excuses that this bill somehow or other should be vetted by everybody in the province. It's been out there. We are members, we are elected, we are expected to read this stuff, the legislation that we bring forward, and to determine on the basis of what's good for the entire province whether or not we're going to pass bills. This bill is a good bill. Unfortunately, it's a bill that the opposition do not want and are not interested in passing at this time. I regret that. It's unfortunate.

The First Deputy Chair: Are there any further questions or comments to this bill on sections 1 and 2?

Mr Brown: Just to be helpful, I wonder if the member could help me understand—I mentioned this in my opening question and it's just a question of clarification—the federal processes now ongoing to set up a framework for all provinces. I think there are advantages to that, as we know. People can move across borders, do other things in this province that they can't do in the next etc. I just wonder, from Mr Wiseman, how he would see passing his bill before the framework is established some time around, I suspect, June or July.

Mr Wiseman: In response to that, if I understand the context of the Rio article, it was to say that it would pass the federal context to protect the migration of species transborder. It's absolutely essential that that happens in

order to protect species from being passed back and forth and to be maybe extinct in one area or endangered or threatened in one area and not in another and so you get some kind of trade taking place.

But also within that context, it's expected from the Rio agreement, article 8(k), I believe, that the provinces would pass legislation. This bill would fit within the framework by pre-empting it. We'd be ahead of the game if we passed this, but the species that are becoming threatened, vulnerable and on the verge of extinction, and we added three this year, can't wait for the federal government to decide what it is that they want to do.

I've been in contact with the federal minister, her office and the opposition office in Ottawa. They know what I'm doing. They've had the opportunity to comment. I haven't heard anything from them either. I assume that if they didn't want me to go ahead they'd say, "Hey, don't do it," but they have not said that in any way this bill pre-empts anything that they're doing. I would say, to the contrary, that the passage of this bill would be a good place for them to start in order to look at what they're doing federally in order to come up with regulations, with legislation that is consistent, given the size of Ontario. Also, I might add that the Rio accord was signed by federal Tories so I can't understand what the problem is here.

1740

The First Deputy Chair: Any further questions or comments on sections 1 or 2 of this bill?

Mr Brown: Just to be helpful, I'm just reading some of the press releases that came out of the federal announcement and looking at some of the newspaper reports of those announcements and trying to understand how us going ahead at this time will actually help that process.

As it clearly indicates in the press releases, they are hoping to set a framework that will work across Canada. As you know, the Minister of Natural Resources—well, resource issues are primarily a provincial domain. Now, the migratory birds act and other acts like that which are federal acts—obviously birds cross borders on a regular basis. We even had some snowbirds around here that leave and come back on a very close cycle.

I was just interested, reading from the Globe and Mail's report, they noted that, globally, species may be extinct at a rate of 74 a day—that's astounding—74 a day according to one estimate, whereas only nine species have been rendered extinct in Canada since the arrival of Europeans, according to this article. I just wonder if that's the correct information.

Interjection: How many species?

Mr Brown: Nine. I mean, nine is too many, but I just wonder if that's the right number.

Mr Wiseman: I believe that that number is correct. We now have currently 256 species on the endangered list and that grew by three this year. I'm sure that it will continue to grow as the habitats of these species continue to be destroyed and eliminated, not just here in Ontario but in all of the world. I think that we have to examine that and understand that.

In fact, article 8(k) of the convention states that: "The contracting parties," which is Canada, "shall as far as possible and appropriate in reference to its in situ conservation," and I quote, "develop or maintain necessary legislation and other regulatory provisions for the protection of threatened species and populations."

That's what my bill does. That's what we said we would do and that's what I'm trying to do this afternoon.

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): I move that the committee rise and report progress on this bill.

The First Deputy Chair: Is it the pleasure of the House that the motion carry? Carried.

Hon Mrs Boyd: I move that the committee rise and report on all three bills.

The First Deputy Chair: Is it the pleasure of the House that this motion carry? Carried.

The committee of the whole House begs to report progress on one bill and to report two bills with certain amendments and asks for leave to sit again.

The Acting Speaker (Ms Margaret H. Harrington): Shall the report be received and adopted? Agreed.

HIGHWAY TRAFFIC
AMENDMENT ACT, 1994
LOI DE 1994 MODIFIANT
LE CODE DE LA ROUTE

Mr Hansen moved second reading of the following bill:

Bill 179, An Act to amend the Highway Traffic Act /
Projet de loi 179, Loi modifiant le Code de la route.

Mr Ron Hansen (Lincoln): The story is all too familiar: A shipper purposely overloads a trailer. A trucker is then told to take the load or leave it for someone else to haul. Because the trucker has bills to pay, children to feed, he takes the risk and hauls the load. Fifty miles later, he hits the weigh scale. Guess what? His truck is over the allowable axle weight and he is fined upwards of \$2,000, yet the shipper gets off scot-free.

My private member's bill will put an end to this injustice. It will create shared responsibility between shippers and motor carriers, namely, truckers, for compliance with Ontario's laws governing allowable truck axle weights. For the first time shippers will face fines too.

This act to amend the Highway Traffic Act is crucial to the long-term viability of Ontario's trucking industry and to the lifespan of our highways. Right now, truckers are taking the heat for overloaded trailers. This is because shippers do not have to comply with current legislation respecting allowable truck axle weights, but truckers do. That's just not fair to the trucking industry and it's not fair to Ontarians who have to pay big tax dollars to maintain our efficient and expensive highway system.

The NDP government has studied the issue for five years now and it's about time we did something about it. A government-industry weight review committee comprised of shippers, carriers, owners, operators and government was established to resolve this long-standing issue. Their key recommendation was to have this legislation brought forward as soon as possible and that's what I've

done here with my private member's bill, which is officially titled the Highway Traffic Amendment Act, 1994.

Truck axle weight laws may not seem to be of great significance to some, but the wear and tear on our highway system can be impacted to a great degree by the level of compliance with these laws. I think it's only fair that shippers and truckers should share responsibility for complying with axle weight laws. It's good for truckers—they are good working people too—and it's good for all of us. Why? Because it's another step towards our goal of making Ontario's roads the safest in North America. Shared responsibility was identified in the province's road safety agenda and now we're dealing with it.

I'd like to share with you some comments from Ed Roseman, who operates Roseman Transport in St Catharines. In a letter faxed to me this morning, Mr Roseman said:

"With longer trailers now legal in Ontario, shippers will fill them to their capacity....Under the present system, carriers that deliver the goods will find themselves subject to more overloads....This makes good carriers guilty of an offence and will get recorded on their commercial vehicle owners registration....Therefore, a shared responsibility would help solve this ongoing problem."

Bill 179 will help companies like Roseman Transport to remain competitive in a tight market, as it will help independent owner-operators, and it will help make our roads safer.

Mr Hans Daigeler (Nepean): Frankly, it's a pleasure to contribute to this debate, because the bill we're discussing tries to implement a measure that certainly we in our party have been asking for. I presume the third party will be speaking very shortly as well and they have been asking for it too. The only point we could criticize is the length of time it has taken to come to this step.

I do want to say first of all that we do appreciate and we do support the private member's bill that is before the House in the name of Mr Hansen. I think he has done well to formulate it and to get it through the system of the House just before Christmas. In fact, I think as late as Monday afternoon I was at a committee and we were looking at another private member's bill, which I presume we'll be discussing later on or tomorrow, and I was asking Mr Hansen why it was that the bill on the slow-moving-vehicle sign made it to the committee and did seem to come on the roster of the House, but Mr Hansen's bill didn't get the attention that I thought it deserved.

Even though I certainly didn't have anything against the other bill, which is of great impact, of significant impact to the agricultural community across the province, I still thought the measure that Mr Hansen, the member for Lincoln, put forward also deserved the support of the House. Perhaps it was this final push from my side, and I saw he had several of his colleagues at the committee, that made him able to convince his House leader and say, "There is support for my bill from the other side of the House and this would be a good way to get my bill forward before Christmas." I'm glad to have second

reading debate. Of course, there still has to be third reading, but I presume, in the wisdom of the House leaders, that they will want to do that before Christmas as well.

1750

I am glad to see this. It was somewhat unexpected, because I think it was just yesterday that all of a sudden the decision was made that it appear and I got that phone call that all of a sudden I had to be prepared to speak to this bill today, which of course I am pleased to do. But just to indicate somewhat the way this Parliament operates, you really have to be constantly pushing, and if you have enough persistence, heaven knows you can achieve something.

Certainly, Mr Hansen is to be congratulated for his persistence and as well the opposition parties, which have been pushing for this for quite some time. I must not forget the Ontario Trucking Association, because they have been putting this forward as a serious concern for many years. As the member already indicated, there was a committee that looked at this question and made recommendations. I think it was very early on in the mandate of this government that the Minister of Transportation already assured the trucking association that yes, the government was going to proceed with this. So if I have one criticism, it's perhaps only that this really should have been put forward by the Minister of Transportation himself and should have been part of the amendments to the Highway Traffic Act that we did look at previous to the debate today.

But be that as it may, I think this is really nitpicking. What is important and what I support is the measure that's being put forward. It stands to reason that those who make the requests of the truckers to take a certain load should share in the responsibility. I can understand, with the heavy competition, that there would be perhaps some less-than-scrupulous shippers who would go to the competition and say to the driver, "Well, if you don't take the load, I'll go to someone else or to a different company." Frankly, that's not fair and we're certainly not in favour of that.

That's why this shared responsibility, and if there is a violation it wouldn't just be the trucker or the trucking company but also the shipper who was putting forward the request to move the goods, that he too—or she, for that matter—would be sharing in the penalties that apply to this violation. I think that's fair, that's reasonable and I support it.

I've been the critic for Transportation for a bit more than a year now and I've been very impressed with the lobbying ability of the Ontario Trucking Association. They always make a very good case, they do their research very well and they put forward solutions and alternatives that can be practically implemented. That's appreciated, certainly, on this side of the House. I'm sure the government appreciates it as well.

They are also very persistent and they don't give up. Even though it takes a while, they keep coming back to that, and the shared shipper responsibility for axle weight violation is one of those issues that the Ontario Trucking Association has been pushing for for a long time.

They've been reminding us on the opposition side and they have also been reminding the government that this is a measure that's outstanding and has been looked at by a committee, in fact.

So it's not as though this is just coming out of the blue. It had in fact been studied and a recommendation had been made to the government. Some hearings have taken place, and of course Mr Hansen's bill has been now on the order paper for some time. So, really, there has been an opportunity for the public to, if there were any serious concern with the member's bill, address either the government or the opposition members. I must say, I've only received the support of the Ontario Trucking Association. I spoke again with them as early as this morning just to see whether there was anything that perhaps they didn't like in this particular bill and perhaps any kind of amendment that they wished to see. But, no, they're satisfied with the bill as it is, and I'm glad to support it there as well.

I must, just because the opportunity's there, indicate to the Ontario truckers that there were a number of changes that, with the support of the opposition parties, the government has been able to implement; the longer trucks is one of them, and now this particular bill. I do think now that we have been quite supportive of the industry. I think there is that responsibility on the industry itself now to be very concerned about safety, and that's frankly a little bit of an area where I'm not fully satisfied with what's happening among certain truckers.

I do know that the Ontario Trucking Association is very concerned about that as well and has made certain proposals to improve the situation. In fact, they would like to introduce a certain safety rating system that clearly identifies those who are responsible for the violations. But I must express the sincere hope that the trucking industry will not weaken its commitment to further improve its safety record and that any kind of violations, be they axle weight violations or any others, be reduced as much as possible and that it will continue to do its very, very best to improve the safety.

I see the members opposite are cheering me on and I'm glad to see that. I certainly hope that both the association and the individual companies and the truckers will do their very best to observe the law and to improve the safety, because even this axle weight bill that we have in front of us is a measure that is ultimately meant to improve the safety of our roads and improve transportation generally for all the people in this province.

So with this little caveat, I would like to indicate that certainly on this side of the House we are very supportive of this measure. We would have liked that the government bring it in on its own, but since it is a private member's bill that we have before the House, I am glad to support the member's bill and I wish it well.

Mr David Turnbull (York Mills): I'm absolutely delighted to rise today in support of this bill. It's good public policy. It's policy that we should have had some three years ago. Indeed, the Ontario Trucking Association has been pressing for this legislation for many years. I myself, since I have been our critic for the Progressive Conservatives, have consistently pushed for this and

anybody who has followed this issue will know that my voice has been raised most consistently on asking the government to bring in this legislation. It should have been brought in in 1991. There was a report which was commissioned. It was the joint government-aggregate industry liaison committee, which recommended that amendments to the Highway Traffic Act should be made with respect to shared responsibility so far as axle loading is concerned.

The reason that this is so imperative is that if you have overloading of a truck, there is undue wear and tear on the roads and there is also a safety concern in terms of the ability of trucks to stop. The reason that this has been so important that we amend the Highway Traffic Act is that at the moment the trucking company bears all of the responsibility. This has led to the situation where some shipping companies have in fact put undue pressure on the truckers to overload the truck, and since there was a severe recession and deregulation had occurred in the trucking industry immediately before the recession, it led to the situation that unscrupulous shippers were in a position to say to truckers, "If you don't want to take this weight, we'll get somebody else who will do it." This led to deterioration of our roads in the province and, as I've said, safety issues.

1800

The chronology of events leading to this, as I've mentioned, start back in 1991 with that report which the government was responsible for. In December 1993 there was an omnibus bill which the government proposed to amend the Highway Traffic Act which included graduated licensing, longer truck lengths and indeed this particular concern. While I understand anybody's distaste for omnibus bills which are all-encompassing, our party said that we went along with it because we agreed that these were all vital issues that we should have legislated. The Liberal Party unfortunately objected to that approach and consequently it died at that time.

Again in June of this year I asked the minister to bring forward legislation before the end of the summer session, and the minister gave me such a garbled response, which was not untypical for him, that I think it is worth reading into the record, and if anybody can understand what he's saying, good luck. He said that my question was "fully commonsensical" and that his government had established "a reverse onus" to correct the fact that in the past the driver carried the guilt and paid the fine for surpassing capacity with the shipper bearing no responsibility. Gobbledegook. What does it mean? Nobody was interested in this drivel from the minister. We wanted legislation. And I commend my colleague, my friend, Mr Hansen, the member for Lincoln, I believe, for bringing forward this legislation.

As I've said, this is good public policy but there is a concern that this government has on several occasions allowed public policy matters to be brought forward by private members in, I think, the mistaken conviction that

they could slide things through the Legislature with the least consideration of it. Now, this particular matter doesn't require any great consideration of it. Anybody who understands the matter knows that it is good public policy. So why we have had to wait so long is beyond me.

I would urge the government, if indeed we come back for another session, because there is the suspicion that perhaps an election may occur after tomorrow, at some point before the Legislature reconvenes, but if it does reconvene, this is the wrong way of conducting business. I put to you that when the private member's bill was brought forward for first reading in the last couple of days of the last session before the summer, they were asking for all-party agreement to pass second and third reading at that time. There was a great deal of difficulty that both the Liberals and the Conservatives had with that approach because it would establish a precedent that any private member's bill, because of some pressure group, could be pushed through.

But I commend my friends at the Ontario Trucking Association for being probably just about the most responsible trade association that I've had contact with. They'd bring forward well-researched, intelligent papers which speak to all of the concerns that are brought forward with respect to their industry in a sensible, balanced way, and they have consistently said they wanted this legislation.

I'm delighted to say that they are finally going to get this legislation which equally shares the responsibility for truck loading between both the shipper and the trucking company. It's good and I'm delighted that finally, after many, many questions in this House, to the former Minister of Transportation and indeed the new one on this very issue, questions which I've had in question period and indeed questions off-line as to when we would get this. We're finally getting it, and I believe we're going to have third reading tomorrow. So at last, we can give the trucking companies the ammunition they need, when a shipper says they want to overload a truck, to say, "No, this will be a fine on your head," and that's a very appropriate way of handling it.

I'm delighted to support this, and I compliment my friend Mr Hansen for bringing forward this much-needed legislation.

The Deputy Speaker (Mr Gilles E. Morin): Any further debate?

Mr Hansen has moved second reading of Bill 179, An Act to amend the Highway Traffic Act. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

Hon Frances Lankin (Minister of Economic Development and Trade): Mr Speaker, committee of the whole.

The Deputy Speaker: Committee of the whole.

Report continues in volume B.

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| St George-St David | Murphy, Tim (L) | Yorkview | |

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

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Government
Publications



No. 168B

N° 168B

ISSN 1180-2987

Legislative Assembly of Ontario

Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Wednesday 7 December 1994

Journal des débats (Hansard)

Mercredi 7 décembre 1994



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Honourable David Warner

Clerk
Claude L. DesRosiers

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50th anniversary

1944–1994

50^e anniversaire

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 7 December 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 7 décembre 1994

Report continued from volume A.

1807

HIGHWAY TRAFFIC AMENDMENT ACT (FIREFIGHTERS), 1994

LOI DE 1994 MODIFIANT LE CODE DE LA ROUTE (POMPIERS)

Mr Arnott moved second reading of the following bill:

Bill 192, An Act to amend the Highway Traffic Act respecting Firefighters / *Projet de loi 192, Loi modifiant le Code de la route en ce qui a trait aux pompiers.*

Mr Ted Arnott (Wellington): I'm very pleased to move second reading of this private member's bill. It's a very simple and straightforward bill. It fits on actually one page, both sides. What it does is that it allows volunteer firefighters to use flashing green lights on their personal vehicles when they're responding to an emergency call.

It's very, very simple and straightforward, and I'm very pleased to say that I've received an indication from the government House leader, the Liberal House leader, as well as our Conservative House leader, that it's the will of the House that this bill will pass into law. Hopefully tomorrow it will receive third reading and will pass, and I'm very excited about that.

I want to thank many of my colleagues who have supported my efforts in this regard for the last two years actually, bringing this issue forward, Mr Runciman, Mr Eves, Mr Murdoch, Mr McLean, Mr Villeneuve, Mr Wilson, Mr Jordan and Mr Hodgson particularly. I also want to thank the Liberal Transportation critic for his indication to me that he will support this bill, and I want to particularly thank the present Minister of Transportation, as well as his immediate predecessor, who I also know were supportive of this bill.

Many of the municipal councils in Wellington county have endorsed this idea in principle and have supported my efforts in this regard. The Firefighters Association of Ontario, the organization which represents all volunteer firefighters in the province, has also been very supportive of this for quite some time, and I want to thank them for their efforts in this regard.

While I'm thanking everybody, I think I'd like to say thank you to all our volunteer firefighters, especially in Wellington county but as well across the province. We really can't adequately and fully thank them for what they do to serve our communities. I think this is an important safety issue efforts, but it's also an important measure of recognition for all of their efforts.

I look forward to hearing the debate on this bill. But as I indicated earlier, I understand that there is all-party support for this bill and I look forward to its passage before Christmas.

The Deputy Speaker (Mr Gilles E. Morin): Any further debate?

Mr Paul Klopp (Huron): I too am pleased to stand today on behalf of myself, and I think a lot of colleagues in the House, to throw my support behind this bill.

I've been approached too by the firefighters and fire chiefs in Huron county. They feel this is another tool that they can use for a safety reason for the firefighters, that they can use, if they wish, to put on their vehicle when going to a fire. I think those of us who live in rural Ontario realize that they do travel through small hamlets and throughout rural areas.

It doesn't mean that they can speed or do things that are illegal, but it does help to show that there's a person who's going to a fire. It will help people like me, when I'm sitting at a corner and a vehicle's going up the road with a green flasher on. I will know this person is in a bit of a hurry and I should allow him the right of way.

We're spread out in rural Ontario, as you know, and the volunteer firefighters do get to fires surprisingly quickly, but this will help them just get to the fire that much quicker. This will probably have the potential to save lives, to save livestock or whatever industry is out in the community, in a hamlet or out in a township.

I commend the member for taking the initiative. I'd like to thank the fire chiefs in Huron county for taking the time to tell me about the bill. I said I would support the bill and do all I can to get it forward. At this time, I will adjourn debate as far as I'm concerned so that we can move this bill and get it through for the firefighters in all of rural Ontario.

Mr Bill Murdoch (Grey-Owen Sound): I'd just like to lend my support to this bill. I spoke about it first thing this afternoon when we did our statements, that I wished the government would bring this forward. I'm very pleased that they have brought it forward this afternoon so that we can give it second reading.

The green lights are really needed in rural Ontario. We do have quite a number of volunteer firefighters, especially in my area, because there aren't a lot of full-time firefighters. They've wanted this for some time, and my friend Ted Arnott has worked on it for a long time to have this House pass this bill.

I'm very pleased to stand here today and support my friend the member for Wellington on his bid to have this bill passed. I just hope that tomorrow we will get third reading and that my volunteer fire departments will be able to use these green lights and save many lives and help them out with their daily duties.

The Deputy Speaker: The member for Nepean, I apologize for not recognizing you first.

Mr Hans Daigeler (Nepean): Further debate, I guess.

The Deputy Speaker: Further debate.

Mr Daigeler: Thank you very much, Mr Speaker. I won't debate it too long. I don't know what it is with the Transportation bills, either at this time of the year or generally with Transportation bills, because they seem to be all very non-controversial. This is another one of the changes to the Highway Traffic Act that I certainly, on behalf of my party, am pleased to support, as I did just a few minutes earlier with regard to the member for Lincoln and his bill.

The Speaker certainly will remember, but for the other members of the House I must perhaps recall that a little bit more than a year ago the member for Northumberland, who would have liked to be here but unfortunately has another commitment, was also successful in getting an amendment, a change, through the House that allows volunteer firefighters to have a sign at the licence plate indicating that they are—oh, there's the member for Northumberland; she did make it and she probably will want to speak herself to what she was able to put forward in the House.

I just wanted to use that example as evidence to indicate that in my party we do support the efforts of volunteers, certainly volunteer firefighters and volunteers across the province. We did have another bill that unfortunately we feel very strongly about that works against volunteers, and that's the long-term-care reform bill that was just forced through the House this afternoon which, in our opinion, does not support volunteers.

But this measure here, even though it's a small measure in itself, is still significant for those who do that great service to us. If we can assist them in doing their work, we certainly want to indicate our support and say to the member for Wellington that he's done well, again as I said earlier, to be persistent.

It took him a while as well to reach this stage. I know he came to me about a week ago and made sure that he had my support, and I appreciated that. He did his homework, and I'm glad that he also convinced the House leaders to bring his bill forward still in time for the Christmas season. In that sense, I do wish to leave a little bit of time for the member for Northumberland because this whole question of identifying and helping the volunteer firefighters is very dear to her heart. I just wanted to say on behalf of my party, as the Transportation critic, that we certainly will support this private member's Bill 192.

Mr Allan K. McLean (Simcoe East): I'm pleased to rise in support of my colleague's private member's Bill 192, An Act to amend the Highway Traffic Act respecting Firefighters. It's not often that private members' bills get the attention we are seeing here tonight, but I'm pleased to see that my colleague the member for Wellington's bill is getting special attention.

What the member for Wellington really wants to do is repeal subsection 62(16) of the Highway Traffic Act that allows volunteer firefighters to operate a white-and-amber flashing light on the side of a motor vehicle that is proceeding to a fire or other emergency. Private member's Bill 192 would allow both full-time and volunteer firefighters to have a flashing green light on or in their

motor vehicles when proceeding to a fire or other emergency.

Citizens in rural Ontario and the rural municipalities rely on volunteer firefighters for the provision of fire protection services that are supplied in this province. These volunteers are usually on call 24 hours a day, seven days a week, and they give up their evenings and weekends to take courses necessary for upgrading their skills and knowledge of firefighting practices and procedures.

I'm in complete support of private member's Bill 192 because it will undoubtedly result in a quicker response to the scene of a blaze or other emergency, because they would be clearly identified as emergency full-time or volunteer firefighting personnel. We have over 16,000 volunteer firefighters in this province.

I remember speaking in support of private member's Bill 87 on May 16, 1991, which would have authorized the issuance of special licence plates to motor vehicle owners or lessees who are volunteer firefighters. This special plate would clearly identify the vehicle as being operated by a volunteer firefighter. My support for firefighters, both full-time and volunteer, goes back a long way and it is strong. In our municipality we had some 88 firefighters who were volunteers.

I think it is essentially important for us to be considering this private member's bill here tonight, at this particular time of the year. As you know, this is the time of year for all of us to reflect upon the past and pin new hopes on the future. It is a time for family and friends to gather together to share the joys and the traditions of the season, a time to extend the spirit of peace and goodwill. Individuals give generously to ensure a quality of life for others around them.

Interjection.

Mr McLean: The member for Kingston and The Islands is talking about Christmas cards. Being of Scottish background, I'm not sending members Christmas cards this year. I've already wished everyone in the House a merry Christmas and a happy new year.

The corporate sector donates financial support to programs in the volunteer sector, the arts and recreation. We should be especially thankful for the work of our service clubs, our charitable organizations, our church groups and volunteer firefighters who give so much of their time and energy to make life bearable for those less fortunate. These groups are the foundations of society and are fine examples of people who derive personal satisfaction and a sense of wellbeing, putting aside their own interests to do something that will benefit others.

While we may have our own problems, each of us has the responsibility to find the answers. Each of us in our own way can help improve the quality of life for others. We must not forget that we all share the same fundamental values that are the true meaning of this season of fellowship and peace: the basic message of love, the rebirth of hope and optimism and the sharing of our store of affection and material goods with the less fortunate. These are common to all people.

Let us combine the knowledge and the spirit of the

season and work together to ensure the coming year is happier and healthier for those in need. I believe that in this Legislature we can all work together to ensure that the coming year is happier and healthier for the people of Ontario who rely on our firefighting services by supporting the member for Wellington's private member's Bill 192, An Act to amend the Highway Traffic Act respecting Firefighters.

It has been tremendous to see this bill come forward and it's a compliment to how the member has worked in his riding and how he has brought this bill to the House today. I don't want to see those flashing green lights, but at least when we see them, we'll know who they are. They are those volunteers out there and those firefighters, some 16,000 of them across this province, who are volunteers who are working for the community, putting their lives on the line for the community and are those people we can't do without. I commend the member for Wellington for bringing this bill forward and I thank the government for looking at this bill as something very positive for all the people of Ontario.

1820

Mr Larry O'Connor (Durham-York): I just want to compliment the member from Wellington county for bringing this forward. I know that he's been an advocate for this for quite a while and I'm certainly supportive of him in that.

Coming from a rural riding, we all know what it's like when all of a sudden you hear the siren going and the firefighters are coming up every alley and out of parking lots or running out of the stores and wherever they might be working, at the Co-op, and racing to the firehall. This I think is going to be an important safety measure that's going to support the firefighters in our rural ridings where we have a huge amount of fire service; we have to depend on the volunteer firefighters. So with that, I just wanted to say that I compliment the member from Wellington county and I appreciate him bringing it forward, and certainly, the cooperation of all of the members of the House, to see this through today.

Mrs Joan M. Fawcett (Northumberland): I too am very, very pleased to have a chance to put a few words on the record in reference to Bill 192, An Act to amend the Highway Traffic Act respecting Firefighters. I know that at the time when we were debating my bill, Bill 87, which allowed all firefighters to put the stickers on their licence plates, the member for Wellington was very, very helpful and certainly supported my bill. I do want to extend that same cooperation because I know that the firefighters across the province will be very, very happy to have this bill go forward.

I think we all know the service that all firefighters in the province provide to us. Very often we don't realize that when the siren goes off or the bells go off that bring the firefighters to attention, knowing that they may have to reply to any kind of a disaster or a need, that they're there, they're ready to put their very lives on the line and we are truly grateful. I think anything that we can do to facilitate them, anything we can do to make their job easier and more safe, is something that we in this Legislature should always try to do.

We know that the dedication of all firefighters—I guess the ones who I am more familiar with are the volunteer firefighters. We know that they are truly an inspiration to us all. They are willing to give up evenings or weekends to make sure that they have all of the up-to-date knowledge and methods in which to be trained fully so that they can respond in the best possible manner. We also know that with the rapid changes of today and the technology that's out there and the different kinds of fires and disasters that can happen, they must be fully knowledgeable.

I want to really commend the member for Wellington for bringing this forward because I know that when I was having a lot of discussions with the firefighting associations and the men across this province, they were at that time looking towards the day when they would be able to have the flashing light on their vehicles that would enable them to get to either the disaster scene or to the firehall more easily and be able to be recognized so that they could get there and do their jobs that much better.

I too am grateful that the government is bringing forward this legislation very quickly. I know I had a little more trouble getting mine finally there, but I was very, very happy when it did happen.

Just two months ago, I had the pleasure of helping some of the firefighters in my riding put the stickers on their licence plates, and I know they're going to be very happy now to have the option of the flashing light, because I think that is certainly going to be even better.

I want to compliment the member. I know he's very interested in this and will continue, hopefully, to help the firefighters right across the province do their job safer and do the job they want to do. So compliments to the member.

The Deputy Speaker: Further debate. The member for Renfrew—Lanark-Renfrew.

Mr Leo Jordan (Lanark-Renfrew): The member for Renfrew North is on recess right now, but he can afford to do that. He does a very good job and he can do it in much less time than I can.

It's my pleasure to take a few minutes to support our member for Wellington; not only to support him on a private member's bill such as this that he's brought forward, but this bill indicates his thoughtfulness and his sincerity in representing his riding. He understands the people in his riding, he understands the needs. I have witnessed our member for Wellington on different occasions, and even though he displays a youthful appearance, he has quite a mature and experienced mind, and there are many reasons for that.

I was talking with the previous member for Wellington a short time ago and he brought to my attention, as the present member has, how they had great communication and understanding and one learned from the other. We in this Legislature and especially the people from Wellington are here now not only to experience the legislation that a member such as the present member for Wellington will bring forward but also in that legislation will be the experience behind him of the previous member, whom many of you know much better than I do.

Relative to the bill and to the previous speakers, the bill is quite clear and I know it's something that's been needed for some time. As reeve of the township of Montague, I used to get communications, verbal and in writing, complaining about people speeding down side roads and so on and even going through red lights. We didn't have that many in the township of Montague, but when it did happen, I was surprised for a while at the number of calls coming in.

The fire chief I had at that time is recently elected to council in the township of Montague. He's going to be an excellent addition to that council because he knows the township and he understands it. He has been a fireman and he understands that whole department very well as a former fire chief.

At different times, he would explain to me that some of his people were in the more urban areas of Montague township and much closer to the firehall, but the firemen who were farther out, and certainly very valuable members of the fire department, had a distance to travel. Of course, they took their job very seriously, they wanted to be there on time, and I know they did take chances in going through crossroad intersections and so on.

This is going to be a great safety device for them, to identify their vehicle with the flashing green light that they are in fact on their way to serve their community and to serve the people as volunteer firemen or full-time firemen. In the township of Montague, we didn't have any full-time firemen; we had all volunteer people, including the chief. I think we were very fortunate in that.

1830

I know across the province of Ontario, I believe it's 80%—I could be corrected on that; 76% or something like that—that are volunteer firemen. There's a very small percentage that are full-time salaried people. We who live in our communities tend to take it for granted.

It's really a very moving time here tonight, if you will, that we have one of our younger members, representing the riding of Wellington, who understands all of this and has taken the time to put together a bill and bring it forward that will offer protection to those people and will offer protection to the general public in allowing the road to be cleared while they perform their duty.

Hon David Christopherson (Solicitor General and Minister of Correctional Services): I'm pleased to join in the discussion on this bill this evening as the minister responsible for firefighters, the fire code in the province and the fire marshal's office. I too want to acknowledge the efforts of the member for Wellington, to congratulate him and to acknowledge his contribution to fire safety in the province. Also to again acknowledge the contribution of the member for Northumberland and her efforts with the stickers. I think it points to a number of things that are true and can be said about firefighting and public safety, in general about this place.

Number one is that when it comes the issue of public safety, time and time again, this particular Parliament I think can feel very proud about the fact that we have set aside partisan politics over and over again to do the right

thing. We can speak on a number of issues and I suspect it's probably been done more in this Parliament than in any other in the past, certainly as it relates to initiatives coming from members who are not from the governing party, whose bills are allowed to become law because it's a good thing and it contributes positively to public safety—in this case, firefighting.

I know in my work with the volunteer firefighters of Ontario, they make a contribution that just cannot be measured by dollars alone. Literally hundreds of millions of dollars of value in terms of the contribution that they give of themselves, for their community, are received by the people of Ontario. If we ever attempted to compensate for that by directly funding, either through the province or municipal governments, we couldn't do it. We would bankrupt ourselves trying to offset the money and the contribution that they make. Like the police and other emergency response entities in Ontario, we have I think the finest group of professionals, whether they are volunteer or full-time, to be seen anywhere.

I'm so very proud of my opportunity to be a part of that community. I think very much both the members for Wellington and Northumberland join with me in being a part of that and that you should both feel very proud of the contribution you've made. I'm pleased that we've done it in partnership and that once again we've shown collectively, as politicians, representatives of our communities that when public safety is at risk, when there's a measure that needs to be taken and we can't afford as people of Ontario to play politics, we're prepared to set that aside and do the right thing. This evening's bill is another example of that.

Again, because it cannot be said enough: I want to compliment both of the members for their efforts and your contribution to public safety. My experience has been in municipal government and, where no matter what happens in one's political career in the future, this is one of those things that you walk away from and say, "I made a difference; I made a contribution." For both of you, that will be there every time you see volunteer firefighters responding or hear that they've responded, that they've saved a life, that they've been there when it mattered, and you made a difference in helping them to do that. For that, all of us are very grateful for your initiative and I'm pleased that our government was comfortable enough with the idea that it would be an opposition member's bill because perhaps, without that, it might not have gotten on the agenda and it needed to.

I close by again acknowledging your contribution. Thank you for your efforts. I know that I speak on behalf of everyone involved in firefighting in Ontario when we say thank you for your efforts; you have made a difference with these initiatives.

Mr James J. Bradley (St Catharines): I wasn't going to speak on this bill, but I'm going to speak on every bill tonight now and I do think this is an important bill to have before the Legislative Assembly. I want to commend the member for taking the initiative. There was an initiative, as has been mentioned previously, by Mrs Fawcett, the member for Northumberland, which was I think extremely helpful. This will be helpful once again

to those who have a very difficult responsibility out there. Anybody who is at all familiar with firefighting and other emergency cases that are dealt with by firefighters in this province would recognize that it's important that they be able to get to the firehall in a rapid fashion, that they are able to get there in a safe fashion. The assistance that is rendered to them through this Legislative Assembly by the agreement to the bill by Mrs Fawcett, by Mr Arnott, by these two bills, will certainly help them.

Very often, we take for granted in our province, and perhaps in all jurisdictions, the difficulty faced by people who are fighting fires, people who are involved in emergency circumstances, and I think we try to recognize them as often as possible and as much as we can in a practical sense. This legislation is a practical piece of legislation. It will be of assistance. I know there are always people who will express some concerns about some problems that can arise trafficwise and so on. I don't think that should be a problem. I think that the flashing green light is extremely important to these individuals. There is a problem, according to Mr Arnott, who helped me out with some of the details of his bill, not simply in leaving their homes and on their way to the firehall, but particularly, as one gets closer to the firehall there is a great concern that there may be some safety hazards, that they may not be able to get to the firefighting equipment as rapidly as possible.

For this reason, I think it's appropriate that this bill move forward. It is a straightforward initiative. It's not one that's complicated. It's not one that requires a lot of comment by those in the bureaucracy. It's the kind of very practical piece of legislation which is needed and I think most particularly in the rural and smaller town and midsize town areas, as opposed to the huge urban areas. Nevertheless, I think it can be beneficial to all.

Many of us have seen the injuries that have been incurred by members of fire departments who have been involved in acts of heroism, in some cases involving fires, in other cases involving potential drownings or other disasters that are out there. I believe that it's important for us to move forward with this bill. I am pleased that the House leader of the Progressive Conservative Party has advanced this as one of the pieces of legislation that he would like to see passed. The member for Wellington has in fact appropriately informed individual members of the Legislature, by means of a direct letter and by means of his discussion of the bill this afternoon, of its importance, of the fact that it's very practical. Certainly, as we get closer to a provincial election, it's a time of less charity very often, in terms of the compliments that are passed out. I think there are occasions where those partisan considerations are put to the side. There's nothing partisan about this bill at all. It's a most appropriate piece of legislation and I want to indicate my personal support and the support of the Liberal caucus for this piece of legislation.

Mr Chris Hodgson (Victoria-Haliburton): It's an honour and a pleasure today to rise to state my support for Bill 192, a private member's bill to amend the Highway Traffic Act. I too want to share in this House's congratulations to my colleague the member for Welling-

ton. I believe that he's addressed a problem that has arisen throughout rural Ontario. I know this summer, as I attended functions, I was often talking with firefighters in the riding of Victoria-Haliburton, members from the Oakwood fire department, the Woodville fire department, as well as the Haliburton and Minden detachments. They had heard that there might be changes to allow for flashing green lights on volunteer firemen's vehicles and they wanted to know what was happening. In that vein, I wrote a letter to the Minister of Transportation asking for clarification on this and I was pleased to be informed by my colleague the member for Wellington that his private member's bill would clear up this uncertainty and allow this commonsense approach to put into law this fall.

1840

The bill repeals subsection 62(16) of the Highway Traffic Act that allows volunteer firefighters to operate a white and amber flashing light on the side of their motor vehicle; that is, proceeding to a fire or other emergency. Private member's Bill 192 would allow both full-time and volunteer firefighters to have a flashing green light on or in their motor vehicle while proceeding to a fire or other emergency.

Citizens in Victoria-Haliburton's rural municipalities rely almost entirely on volunteer firefighters for the provision of fire protection services. These volunteers are usually on call 24 hours a day, if any emergency happens, seven days a week. They give up their evenings and their weekends to take courses necessary for the upgrading of their skills and the knowledge of firefighting practices and procedures.

I'm in complete support of private member's Bill 192 because it will undoubtedly result in a quicker response and a safer response to the scene of a blaze or other emergency because they would be clearly identified as emergency full-time or volunteer firefighting personnel. With the passage of this bill, the public will also become accustomed to realizing what a flashing green light means and respond appropriately.

I want to again thank the member and to thank all the volunteer firefighters, especially in my riding of Victoria-Haliburton, for their dedicated service to their communities to make life in our rural communities a little easier and a little better place to live.

Mr Arnott has moved second reading of Bill 192, An Act to amend the Highway Traffic Act respecting Firefighters. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

Hon Mr Christopherson: Mr Speaker, refer the bill to committee of the whole.

MUNICIPAL ELECTIONS AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI
SUR LES ÉLECTIONS MUNICIPALES

Mr Runciman moved second reading of the following bill:

Bill 191, An Act to amend the Municipal Elections Act / Projet de loi 191, Loi modifiant la Loi sur les élections municipales.

Mr Robert W. Runciman (Leeds-Grenville): On a point of order, Mr Speaker: I want to pose a question to whomever is in charge of the House for the government. Perhaps they were looking to me to move into committee of the whole. I'm not sure what their procedure was. I know there was an agreement and I have an amendment to move in committee of the whole. Whether there's been some change in that direction or not, I'm not sure, Mr Speaker, so I'm looking for some guidance from the acting House leader for the government.

The Deputy Speaker (Mr Gilles E. Morin): We move to committee of the whole after second reading, after the bill has been debated. Only at that time can you move to committee of the whole.

Mr James J. Bradley (St Catharines): They ask the question after we consent.

Mr Runciman: Thank you for your guidance, Mr Speaker.

This bill was tabled in the House following the recent municipal elections, based on feedback received by a number of members of the Legislature, specifically those representing the more populated regions of the province; certainly a significant number of comments made in the Metropolitan Toronto area in respect to people who were unable, for a variety of reasons, to make it to the polling stations prior to the closing time of 8 pm. The late opening time of 10 am prohibited significant numbers from attending the polling stations prior to their requirement to be in their workplace.

Mr Anthony Perruzza (Downsview): What's the number of the bill?

Mr Runciman: Bill 191.

There have been a number of concerns raised. When the legislation was tabled, I did talk to officials within the Ministry of Municipal Affairs. Their primary concern seemed to be that it's been a tradition to review the Municipal Act following municipal elections and to present a package of changes, if you will, at some future date dealing with perhaps a number of weaknesses, flaws, what have you, that have become evident as a result of the latest municipal elections across the province.

I appreciate that concern as indicated by ministry officials, but I think in this instance we're dealing with a relatively modest change which could have a significant impact on turnout in municipal elections. This is a change that has been undertaken by a significant number of jurisdictions in the United States. Many of them have moved to a 6 am polling opening time and the results have been positive.

I know there's some question about impact, but we believe what this bill is doing is simply making it easier, nothing more and nothing less than making it easier, for people to exercise their democratic duty.

Again, in looking at the heavily urbanized areas like Metropolitan Toronto, this can only aid commuters or those who feel they're too busy or too far from home to take time out of their working day to go home and vote. A recent study showed it takes an average of 59 minutes to get to work, and this bill just gives people time in the morning before they start their busy day. Who knows

how many voters, tired from a long day, shrug their shoulders because they can't be bothered to make it to the polls before they close?

One of the other concerns that has been expressed about this initiative is the cost. Polling stations are historically and traditionally in schools, in churches, that are either offered free of charge or for a very nominal fee for the entire day. So the extension of two hours of additional polling time is not going to result in any burdensome increase in cost to a municipality.

Workers at polling stations are paid by the day, not by the hour, so again, we do not see any increase in cost forthcoming as a result of this change in respect to the payment for workers.

I simply have to point out to the people in this assembly and the people who work for the provincial government that we have all faced in some way, shape or form the results of the social contract, where people were and are continuing to be asked to work for free for several days out of the year. I don't see many, if any, people quitting as a result of those changes occurring. So to suggest seriously that the extension of voting hours for two hours earlier in the day is going to have any significant impact on the morale of employees or their willingness to work in polling stations in municipal elections simply is difficult to swallow.

I think again this is a very modest change which is simply going to make the ability to vote that much easier for many, many people in this province. Certainly we want to encourage a much more significant turnout in municipal elections than we've experienced in many instances across this province for the past 30, 40, 50 years.

1850

Mr Bernard Grandmaître (Ottawa East): As the member just pointed out, it is a modest change. I will support second reading of this bill. I'd like to see more study done on it. In fact, this afternoon I was talking to the clerks and treasurers' association, and they're aware of the bill, but no consultation has taken place.

What was pointed out to me by the association was the possibility of extra cost. As you know, deputy returning officers and municipal election workers are paid by the day and not by the hour. Also, to my surprise, I was told that most of the workers in a municipal election are senior citizens, retired people, and by extending by only two hours the voting hours they were asking themselves, "Is this a good move?" This is why they would like to be consulted and look at the possibility of improving the opportunities for people to vote at the municipal level.

I agree with the member that there seems to be not a great interest in municipal elections. We must remember that people are given four different opportunities to vote at the municipal level. We have three advance polls. Also, you can vote by proxy and from 10 to 8 o'clock in the evening. I think people have ample time to go and vote. Also, your employer is supposed to give you three hours to cast your vote.

Mr Perruzza: They never do, though.

Mr Grandmaître: They never do, but I think we

have to find a way. I think the ministry has a responsibility to find a way to educate people. I think AMO and the clerks and treasurers association of Ontario have a responsibility to promote municipal elections in the province and to invite people to take part in municipal elections because, as you know, municipal government is supposed to be the government closest to the people. It affects your life every day.

When you talk about municipal services, you're talking about policing, you're talking about firefighters, you're talking about public works, waterworks, sewer people, you name it, transportation. Your whole life is affected by municipal services and we would like to see, and I suppose the member would like to see, more people go out and cast their vote.

I will support second reading, but I hope the member is not expecting to have reading this evening.

Mr Perruzza: Thank you very much for the opportunity to put a couple of very brief comments on the record. I'm going to support this bill because what this bill would do, and everybody's really clear on it, it would change the time that you would vote during a municipal election from 10 in the morning to 8 at night and it would allow polls to open a little earlier.

I've always found it to be a really big problem when the polls open at 10 o'clock because what it does, it really sort of filters out and filters away a lot of the people who would otherwise be able to vote in a municipal election, and I understand why that's so. Sometimes we don't want a whole lot of people voting in elections. You want very specific groups of people to be able to vote.

I think that what this does, it allows for more involvement in the municipal election process by more people, and in that regard anything we can do to facilitate more involvement by more of our citizenry in the election and electoral process, I believe, is a very good thing because when very small minorities of citizens actually get out and vote, you know, when you get 26%, 27%, 28% of the people eligible to vote out to vote, it's a very select group. A lot of the times you end up with representatives nobody really wants. They hang around for years and they're not essentially turfed out or voted out, or retired would be a much more polite word to use.

In that regard, I support the member for Leeds-Grenville in this very noble and worthwhile initiative. I have to tell you, Mr Speaker, that not a day passes in this Legislature when I am not surprised by some of the things that are brought forward by some of the members, and for a Conservative member to bring forward such a leading-edge, democratic-type bill is indeed surprising and a credit to the member for Leeds-Grenville.

Mr Bradley: I want to indicate my personal support for this bill presented this evening by the member for Leeds-Grenville. All of us would like to encourage more people to vote in all elections. The real problem in our country has been municipal elections.

It's interesting to note that our record of participation in elections is far greater than that of the United States. People think of the United States as being the great

democracy. They have a presidential election where you actually can choose the one person who has the most power. They have senators, governors, members of Congress, members of their state assembly, often the people who are running for various local offices all at once. One would think that, with that much emphasis, they would get a good turnout. I believe the last election in the United States, the congressional elections, drew 37% of the people, because in the United States, one has to register to vote, as opposed to here, where one is enumerated.

What this bill does, or is designed to do, is to make it even more accommodating to the potential voter to exercise a franchise. The way we work today, with the various times that people go into work and the various times that people come home from work, not the routine 9-to-5 or 8-to-4 or 7-to-3 shifts that we're into, it is more difficult for people to vote. Often, by the time they are coming home from work, they have other obligations to meet, obligations that may have arisen during the day and prevent them from voting. That is why it is useful to have more time for those people to be able to vote.

Whenever you deal with these matters, however, what you find out is one of the sets of people you have to deal with are the people who are operating the elections, the people who are staying there as poll clerks, as deputy returning officers, as other officers of the municipality. We will have to accommodate them, of course, and I think the municipalities will do that in terms of lunches that are available and other necessary breaks that might be taken.

So it will be a bit more onerous in that regard. There will be somewhat of an increase in cost, but a modest increase that I don't think is the kind of increase which is going to break the bank. Although I know that there are many out campaigning today who want to cut a lot of expenditures—

Interjection.

Mr Bradley: —this would in fact, the member for Chatham-Kent tells me, increase the provincial budget by \$2 million, which is interesting to hear in itself.

Now, as a person who is consistently wanting to accommodate the electorate out there, to make it easier for people to vote, to participate in our democratic system, I am supportive of this. I am supportive of it fully in the knowledge that the cost will be an additional \$2 million. I am prepared to put that on the table and say that I still am in favour of this piece of legislation, despite the fact that it will mean an additional expenditure by government of \$2 million at a time when there's a lot of discussion of cutting back in various areas from various people in the province.

I do indicate my support. I think it's going to be useful to people who are the electorate. The member for Chatham-Kent may want to help us out a little in this debate by telling us what some of the consequences are. He has indicated that, but at this time I think that, despite some of the drawbacks we may have, that becomes a problem.

Anyway, we are here to support it. I am hopeful that

this bill will be able to proceed through all of its stages this evening and of course tomorrow. I am quite willing, I might add, to sit all next week in case this bill doesn't make it. I know the member for Leeds-Grenville is probably willing to sit next week, if it took next week to pass this bill. And I'd be delighted to come back in January, if it took into January to pass this legislation. But I'm afraid we are limited to a 20-day session and so perhaps the very extensive and comprehensive debate that's required with legislation of this kind will not take place, as a result.

1900

Mr Gerry Phillips (Scarborough-Agincourt): Is there a cost associated with it?

Mr Bradley: The member for Chatham-Kent tells me the cost is \$2 million, and he may be rising to speak briefly to that because he's a person who likes to take into account those kinds of expenditures, the additional expenditures that are out there.

I appreciate the opportunity to participate in this discussion and indicate my support for the bill.

Mr Randy R. Hope (Chatham-Kent): Just a few remarks. I know the member opposite was trying to get me to get up, and I believe I will.

I have a problem with this in expanding the hours. Currently, we have advance polls where people can vote and we have on the day of the election significant hours. Why I reflect on this is because when we establish elections for offices and do it by democratic processes in our workplaces for elections of union officials, we conduct those elections right in the workplace and still the percentage of turnout is very low.

The member has put a very token piece which says it will want to expand the hours to allow more people to participate, but I have to ask, are they going to participate? Those who believe in participating in municipal elections take advantage of the advance polls and take advantage of the polling on that day.

One of the things I must indicate is to the people who will have to get up earlier now, to set the polls in place for the day of the event when the election is to take place. They'll have to get up probably about 6 o'clock in the morning, start their day earlier and run it later, and it is an excruciating day.

If you take a look at what is being proposed here—and remember, you're talking about a lot of municipalities which are going to absorb extra costs—you're looking at a substantial amount of money—and I use rough figures, I'm no mathematical genius—about two million bucks when you start adding every municipality in this province.

So the member who is raising this—and I had always believed that he came from the Conservatives—

Mr Bradley: He's part of the revolution.

Mr Hope: Yes, that's part of the revolution where it says, "Don't start it without me" in the Mike Harris toy.

I would just raise some very serious concerns. I believe more discussion has to take place with the municipalities, because we know how municipalities are. They yell and

scream at us when we offload. This is a provincial piece of legislation and we're being asked by the Conservative Party to offload on to the municipalities and put an additional cost to these individuals. I'm quite sure the municipalities, the way they've been telling us, are going to take exception to this.

I would just say to the member opposite, it's nice. If you want to allow more people opportunity to vote, what about more advance polls? You're talking about spending two million bucks or more. Why don't you divert that changeover to another day to allow more flexibility for people to have access to voting? Currently, you only have two advance polls. Why not three or four advance polls to allow them the opportunity to participate?

To the member opposite, as one who has experienced this in our workplaces, we have held it right at the door when they walk into the workplace, the chance to vote, and they still walk by the voting booth. I don't know if this change that you're asking for is going to allow more people to actually cast that ballot and take a more proactive approach in municipal elections.

That is my contribution, Mr Speaker. I know the member opposite will consider this legislation. I also wonder if he's done a preliminary cost of what this will be to our municipalities, which are fundamentally opposed to offloading any regulations on to them.

The Deputy Speaker: Mr Runciman has moved second reading of Bill 191, An Act to amend the Municipal Elections Act. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading?

Hon David Christopherson (Solicitor General and Minister of Correctional Services): Mr Speaker, refer the bill to committee of the whole.

ASSESSMENT AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI
SUR L'ÉVALUATION FONCIÈRE

Mr Sutherland, on behalf of Mr Laughren, moved third reading on the following bill:

Bill 197, An Act to amend the Assessment Act / Projet de loi 197, Loi modifiant la Loi sur l'évaluation foncière.

Mr Kimble Sutherland (Oxford): I won't take too long with my comments because I think the second reading debate really addressed what is going on here. I think most people understand the history of the concern regarding assessment for anchor tenants versus smaller tenants, the changes between being assessed on square footage versus being assessed on rent and the fact that, because Metropolitan Toronto has not gone through a market value assessment, change had not occurred.

Then there were appeals of the actual assessments and this was going to create a great burden for the smaller tenants, including some who would have to pay up to 800% more in their property taxes, obviously an overwhelming increase and I don't think any business would want to absorb, in a difficult time or in a good economic time, such a large increase at once.

As a result of the concerns and the sense that many of the small tenants in the malls would go under, the Ministry of Finance became involved and acted as a

facilitator to bring the parties together and continue dialogue. There was a spirit of goodwill by both sides. I give credit to the large anchors and to the smaller anchors. A compromise deal was worked out for the next couple of years.

This bill is really to legislate that deal, as the parties had asked for that to be done and the ministry and the government have seen fit to bring forward this bill to do that. I know there has been, in the second reading debate, support expressed by the opposition parties. We greatly appreciate that support and their cooperation in having this bill go through, because I know they're concerned about it. I'm sure they'll want to make a couple of comments about some of the issues related to this bill.

Let me just say too that throughout some of this discussion there was some concern raised as to whether, while we are doing this bill specifically for Metropolitan Toronto, it may have ramifications for other parts of the province where a similar situation may come up. I just want to put on the record again—and I believe it was the member for Oriole who said that three Rs were in existence in this case having to do with—and I forget what the three Rs were. One was reassessment; recession, I think, was one of the other ones and there was a third one.

Market value assessments or reassessments have been done in most of the other areas across the province and the changes have occurred and have been implemented. Our understanding is that you will not see similar circumstances come together to require legislation in other parts of the province.

There still may be other issues related to assessment in other parts of the province that people may be concerned about—fair enough. This specific type of situation that we're rectifying regarding several malls in the Metropolitan Toronto area—there are not circumstances similar to this across the province.

Again, I want to just congratulate all the parties involved for helping to bring this about, for their good intention and goodwill to seek a compromise agreement.

The Deputy Speaker (Mr Gilles E. Morin): Questions or comments? Any further debate?

Mr Gerry Phillips (Scarborough-Agincourt): I wanted to begin the discussion on the bill by saying I think all of us here probably should appreciate, and I guess we do, that this is a symptom of a much bigger problem in Metropolitan Toronto. If anyone here—and there's no one in the Legislature who believes this but there may be some people out there who think this is kind of the solution to a tax problem. It's a worthwhile Band-Aid on it.

Our party is supportive of this but I wanted to spend just a moment to put it into a broader context because it's an issue that, without doubt—I hope I'm not exaggerating—is reaching in Metropolitan Toronto, I think, close to a crisis. The crisis has to do with the property tax, the way property taxes are allocated in Metropolitan Toronto and the impact of that.

The most startling impact is on the job situation in Metropolitan Toronto. I have been truly struck by the

constant job loss in Metropolitan Toronto. When we talk Metropolitan Toronto we are talking the area that is the legal boundary of Metro Toronto: Etobicoke, North York, Scarborough, East York, York and the city of Toronto.

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At one time, clearly, the lowest unemployment rate in the country was here in Metropolitan Toronto. Jobs were being created at a very significant rate, but we've seen in the last five years a very, very dramatic decrease in the number of jobs in Metropolitan Toronto. We've lost approximately 15% of the jobs in Metro Toronto. Just to perhaps dramatize it slightly more, Metro Toronto has lost almost 200,000 jobs in the last five years. At the same time, by the way, the rest of Ontario has gained approximately 100,000 jobs. So when we look at our employment problem in Ontario, it is very, very heavily weighted to Metropolitan Toronto. Just think about that: 15% of the jobs, 200,000 fewer jobs.

Strangely enough, tragically enough, even when we're seeing quite good job growth in Ontario right now, in the first 11 months of 1994—we're almost through the year—Metro Toronto has lost another 36,000 jobs. We now have in Metro Toronto 1,124,000 jobs approximately and in 1989 we had 1,312,000 jobs approximately. We've lost almost 200,000 jobs and even right now, in the first 11 months—we're almost through the calendar year—we've lost another 36,000 jobs. At the same time, outside of Metro Toronto in the first 11 months of this year we've seen job growth of 100,000 jobs. There can be no doubt, zero doubt, that Metro Toronto is really struggling on the job front, and there are several reasons for that.

Clearly, in talking to the business community and talking to our politicians here in Metro Toronto and talking to the economists in Metro Toronto, they will tell you the single most important reason is the property tax that businesses are paying in Metro Toronto. The board of trade did, I thought, a very responsible piece of research. They called it Killing the Golden Goose. Obviously, the theme of that was that Metro Toronto, historically, I think it's fair to say, the golden goose in Ontario, is clearly suffering and struggling very badly right now. They point out there that one only has to cross the geographic boundaries out of Metropolitan Toronto to Mississauga, to Peel, to Durham to find that your tax rate in many cases can be literally half of what businesses are paying in Metropolitan Toronto.

What we saw here in this particular situation was that in our major malls, our shopping malls in Metropolitan Toronto, the major tenants there—they're called anchor tenants, the large stores there—appealed the way they were being allocated the property tax. The property tax for the shopping mall was allocated and then these large stores appealed their share of it, and they won that. They got quite a dramatic reduction in the level of taxation. Clearly, the mall owners had then one recourse, because legally they pass on all of the property tax to the tenants. The large tenants got their taxes reduced dramatically; it was passed on to all the small tenants and these are the lifeblood of shopping malls. The result was that many of them were on the verge of bankruptcy, no question of that.

So the agreement that's been reached is useful. It was negotiated between the major tenants, the anchors, and the smaller tenants. It's a negotiated settlement and this legislation is required to implement that negotiated settlement. Therefore, certainly from our party's point of view, we will be supporting it, but it would be a mistake, I think, to not point out that behind this situation is a very serious, growing and—as I said earlier, it's reaching a crisis, and the most obvious part of that crisis is the job loss in Metropolitan Toronto. Believe me, Metro Toronto can't sustain that level of job loss. It impacts virtually everything. It impacts, for example, the TTC. If you've lost 15% of the jobs, the Toronto Transit Commission clearly is impacted by that, so we're seeing that even in spite of the upturn in the economy around the province, the TTC ridership is still well below what they had projected it would be.

It isn't just the TTC that's impacted. As businesses don't grow in Metro Toronto, the tax base gets further eroded. I might say that it isn't just the mall tenants that have appealed their taxes in Metro Toronto, there are literally tens of thousands of appeals going on right now of homeowners, of business owners who are appealing their taxes in Metro Toronto. If you talk to the politicians in Metro Toronto, they will confirm that the assessment base is being slowly but surely eroded. It becomes clearly a vicious circle where if the assessment base is eroded, taxes, unfortunately, end up going up or services down. There's no other alternative; you cut services or you increase taxes, and we do run the risk of Metro Toronto slowly eroding. It will not be obvious. There will not be one simple event that will determine that. It's like any other trend, it occurs over time. It occurs on a daily basis and trends are difficult to dramatize because they are trends. The continuing drop in employment in Metro Toronto is obvious and should be a huge signal to us. The continued erosion of the tax base in Metro Toronto is a signal and should be clearly recognized.

The board of trade, as I said—a very responsible piece of work they've done on analyzing the situation. They go on to point out, for example—I think most of us know that in Metro Toronto 100% of the cost of public education is borne by the property taxpayers. There is zero money from the province. 100% metropolitan public education is borne off Metro property taxes and, if I remember the amount of money, I think it's well over \$2 billion.

The allocation of provincial funds for education is based on "ability to pay" and so it's a principle I think all of us here in the Legislature support, that the quality of your education in Ontario should not be determined by the property tax base. There should be an opportunity for equality of opportunity around the province regardless of where you live. The board of trade do point out that when we are dealing with inconsistencies of valuation of property around the province, and it is the valuation of property that the province uses to allocate its education dollars, some school boards may get 60% or 70% of their revenue from the province and 30% or 40% from property tax, others less than that, and in the case of Metro Toronto, 100% off property tax, zero off the province.

The point is this: If the basis on which that is allocated no longer is comparable; in other words, there's a completely different base in Metro Toronto than other jurisdictions, the board of trade pointed out, and I think they've got a point, that we may be using the methods of allocating our funds incorrectly, and that may very well be adding to our problems.

You often hear, which is true, one of the amazing strengths we've got here in Ontario is the quality of life in our major urban areas. I don't think there's any doubt that the quality of life in Metro Toronto, for a city of over two million people, is unparalleled in North America. I don't think you will find another urban area of two million people with the quality of life, the levels of service we have here, the quality of our infrastructure, the quality of our business community, the safe communities we have. One doesn't want to be alarmist and say we are drifting to becoming like many of the major US cities that have their problems, but I think we would make a huge mistake if we simply pass this bill and not recognize that it is another signpost along this road saying there's some growing trouble ahead.

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You can see the enormous battles going on out there right now by businesses attempting to get their property taxes adjusted. I have one in my own constituency. It is, to use the term, a state-of-the-art printing operation, called Webcom. They are well known in the printing industry. They are investing in technology. They're the kind of model company you'd like to see in Ontario: They can compete around North America, they invest in technology. But they have a problem. They want to expand in the area I represent, Scarborough-Agincourt; they have the space there, they have a good building, there is an opportunity for them to expand, but they are truly faced with a major problem. The property taxes they're paying there are dramatically higher than they would pay in other jurisdictions in Ontario, so much so that it's very difficult for them to justify expanding. They are trying to find a way to get a reassessment done on that property. They've been unsuccessful.

The mayor of Scarborough and myself have appealed to the ministry to at least take a look at it. I think the ministry staff have at least looked at it, but I guess their hands are tied, because so many appeals are going on and so many businesses are desperate to somehow or other find a way to get their property taxes on a competitive basis that Webcom simply can't get the reassessment done. That may very well be the right decision, but it is symptomatic, as I said, of a much bigger problem, that is, that businesses in Metro Toronto are finding it more and more difficult to stay here with the level of taxation.

I didn't want this bill to simply go through without those comments. I might say in closing that the solutions are not going to be easy. As I said earlier, the way you reduce property taxes is you cut expenditures or you reallocate them. Neither of those is painless. If you reallocate, everybody wants their property taxes to go down and somebody else to pay more. There are two or three things that really touch a button in Ontario and one of them is property taxes. The solution is not going to be

easy, but there is zero doubt that we're heading towards a wall at a fairly high rate of speed here in Metropolitan Toronto, and all of us are going to have to work with the levels of government in Metropolitan Toronto and work together to find a solution.

We're dealing with a Band-Aid tonight that we're applying to a specific situation. I'm supportive of it; I'm very supportive of our small outlets in our shopping malls. Had this bill not been presented, they would have been in a terrible spot, many of them unable to carry on, and this is going to be helpful to them—not perfect, but helpful. So I'll be supporting it but hoping we're listening carefully, that this is simply another cry for help from the business community in Metropolitan Toronto on the property tax front.

Mr Bernard Grandmaître (Ottawa East): My colleague from Scarborough-Agincourt is absolutely right. While I'm on my feet, maybe I should ask the member for Oxford, the parliamentary assistant, who is the mover of this bill, is this the end of the Fair Tax Commission? Is this the result of the Fair Tax Commission? The Fair Tax Commission people couldn't find a solution so they're introducing Bill 197. If that's their thought, I don't think this bill will resolve the serious situation in Metro.

As pointed out by the previous speaker, I think residential taxpayers in Metro will certainly take a second look at that being done with this bill. I congratulate the government for bringing out somewhat a partial solution; it's not a total solution. I can understand why the small retailers are satisfied with this bill, but I'd like to remind the government that this is only the tip of the iceberg and people in Metro will continue to appeal their municipal taxes because they think they're being taxed unfairly.

I hope this is only part of their total solution, because now I can see that the Fair Tax Commission report will be put aside, accumulate dust—forget about farms in the area and also residential taxes. I just want to remind the government this is not the end, the total solution, to reassessment or assessment in Metro. It's only the beginning.

Mr Allan K. McLean (Simcoe East): I want to take just a couple of minutes to express some concerns I have with regard to this bill. Number one is the fact that it's really Metro-oriented, dealing with Metro. What about the malls in other parts of this province that have the same problem? What did the Fair Tax Commission bring forward dealing with this very issue? I don't believe they brought anything forward.

The issue that has come before this Legislature through Bill 197 is really the issue of what they call unfair assessment. You go to a mall and you have some of the smaller businesses in the mall paying so much on a square-footage basis; you have the large businesses in the mall paying a different rate on the square-footage basis. So what is this bill doing? Really, it is saying to the people that there is a difference.

When I read in the paper about market value assessment, that has not yet been introduced in Metro, and the concerns people have raised about market value assessment, and when I see councillors who have run for Metro

council out there saying to people, "You must appeal your assessment because we're going to get you a break"—there's a whole big area here of property assessment. I've always believed that market value assessment was a fair way to deal with everyone. It was based on the value of what you owned. Today, we see many different avenues used when they appeal those assessments.

There is room for debate here, and when I look at what Bill 197 is dealing with, the Assessment Amendment Act, it certainly leaves it open for a lot of people to bring their ideas forward.

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The Deputy Speaker: Any further questions or comments? If not, the member for Scarborough-Agincourt has two minutes.

Mr Phillips: I appreciate the comments of both colleagues because they both focused on what's called the Fair Tax Commission. I will just remind people out there what that was. We never called it the Fair Tax Commission; we always called it the NDP tax commission. But it was the tax commission set up shortly after the last provincial election, and its mandate was to—

Mr McLean: It's Bob's tax commission now.

Mr Phillips: Bob's tax commission or whatever. But its mandate was to come forward with some fairly fundamental changes in the tax system.

I remember very clearly in the last election, because many of my colleagues got defeated in Metro Toronto on this, that the NDP promised they would dramatically increase the funding for education in Metropolitan Toronto; they made a whole bunch of promises to the Metro school board.

None of that has happened, and every time the question of how we're going to deal with all the taxation problems in Metro Toronto was raised, the Fair Tax Commission was the solution; that was what was always used to put everybody off. As a matter of fact, if you remember the debate here at the Legislature, when Metro council had a proposal, right down to the very end—the Legislature was scheduled to pass it and 24 hours, at the most, before we were going to vote on it, the government withdrew support for it and said, "The Fair Tax Commission is going to propose the solutions for us."

Now the Fair Tax Commission has had its report out for well over a year and there's nothing happening. So I thank my colleagues for pointing out that the Fair Tax Commission is supposed to have been the solution—zero, nothing has happened on that. And here we have a growing problem: The mall problem is merely a symptom of a huge property tax problem in Metro Toronto, and the government has done nothing on it.

The Speaker (Hon David Warner): I thank the honourable member for his contribution to the debate. Is there further debate?

Mr David Tilson (Dufferin-Peel): I'd like to make some remarks with respect to Bill 197, the Assessment Amendment Act. I admit that speaking on this bill which deals with a Metro Toronto problem, as someone from a riding which is some hour-and-a-half to two-hour ride

from Metro, is a bit unusual. Having been born in Toronto and having been educated in Toronto, I suppose I speak because I do know some of the issues in Toronto.

There's no question that people in my riding still look at Toronto as the hub of activity, as a place where we have baseball, hockey—

Mr Sutherland: Not right now.

Mr Tilson: —theatre, pretty well everything. Well, you're right: It's not true right now. That's a concern I will get to, the strikes that seem to be causing a problem with the system.

But there's no question that how Toronto goes, how Ontario goes. Although many of us do not represent ridings in Metro Toronto, I think it's an obligation for us to at least look at that issue. I think the member for Oxford is right, that all members of the House will be supporting this legislation, as piecemeal as it is.

I do look at the attractions Toronto has, the attractions for business, why people come here. I guess we're still, for the third year running, the baseball champs of the world, and we have the Toronto Maple Leafs. Both those leagues, of course, are on strike, and that problem has caused a great deal of job loss, whether they be vendors or people in retail business, not to mention the loss of jobs with respect to the Dome or Maple Leaf Gardens. The spinoff loss is rather difficult and has an effect on not only the large chain stores, the large malls, but the small people in this province, so they have those things to contend with.

Yes, we still have theatre, we still have restaurants. We have some of the finest restaurants in the world, and we have some of the finest theatre in the world. Not taking away from the other great cities of this province, Toronto is certainly the hub of activity, and we're most concerned when we hear of the 200,000 job loss that has been referred to throughout some of the debate.

I must confess, the Fair Tax Commission has been looked at by some of the previous speakers. This was set up with a great fanfare; I think it had a budget of—what?—\$7 million. I have yet to figure out what the Fair Tax Commission is doing or what it has done.

But we do get concerned about Toronto, the effect of competition, the effect of encouraging people to come to our province, so looking at tax structures, looking at how business is operating is most important to all of us and should be monitored at all times.

This bill was introduced several weeks ago, on November 23, by the Finance minister and has proceeded to where we are now. I must confess I think I'm as cynical as some of the other members of the opposition. It was as if the Finance minister got together and he was the broker between the small people and the big people in coming together to this arrangement.

Interjection.

Mr Tilson: Well, he's taking credit for that. I'm afraid we're not quite as charitable with respect to that.

The passage of this bill provides the Minister of Finance with the authority to alter the apportionment of taxes in Metro shopping malls. That is certainly needed, because businesses are leaving in droves from this city.

There's a great concern about vacancies, as to what's going on. People are moving out into the suburbs because they simply can't afford to pay the overhead that they have to run their businesses. It may get to the stage, if something isn't done, that all we'll have are the large anchor stores.

Someone in the Ministry of Finance I believe has put forward a summary which I think would be useful to study, some of the history of this bill and how it arrived to where we are now. I must confess that this isn't something that just happened overnight; this is a serious problem that's been festering for years, and I must confess it's still only a partial solution.

As I understand it, a provision was added to the Assessment Act way back in 1974 which required total assessment of property to be divided among the tenants based on a fair market rent. I have no intention of getting into a contribution at this stage about market value assessment. That's something the government has not dealt with and should be dealing with. The whole issue of taxation is something the province should be dealing with and, for some reason, it has not had the courage to deal with it. Smaller stores have been paying a higher square-foot rent than the larger stores and their assessment and taxes, then, would be higher using this method.

Then, in 1990, following an appeal by the anchor tenants, the Assessment Review Board ruled that the mall taxes would be apportioned on the basis of a fair market rent. By 1993, the anchor tenants were no longer willing to wait for the implementation of this provision, so the provisions of subsection 14(3) of the Assessment Act were then reflected, as a result of that, in the 1994 assessment notices.

The result of this, as I'm sure the member for Oxford will point out, was a shift of \$14 million in realty and business taxes from the anchor stores to the allied tenants. It was agreed by all parties to develop a solution that would lower the tax burden on allied tenants. Negotiations during this time took place and the anchor stores, they say, overpaid \$8 million in taxes in 1994 as an interim solution to protect the smaller tenants. This negotiated solution would therefore see the anchors continue to forgo \$8 million of their tax assessment to assist the allied tenants, pending reassessment.

I gather this is the position of the government and I accept that, and I think this is why we all accept the proposed amendment to this legislation, that unless the legislative amendment is passed, the 1995 tax roll would be released by mid-December, reflecting a \$14-million shift to allied tenants. I think we all know that what would happen if that took place is that there would be an even greater series of vacancies to the suburbs, particularly from the small businesses.

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This bill, then, allows the minister to vary by regulation the application of subsection 14(3) of the Assessment Act in the apportion of property tax assessments in 33 shopping malls in Metropolitan Toronto. The legislation, as I understand it, and I don't profess to be an expert in assessment or taxes, does appear to prevent a major shift in the property tax burden from the anchor stores to the

smaller retailers in the malls. This would have flowed from the application of the 1974 amendment to the Assessment Act which I referred to, which moved the tax base from square footage to fair market rent.

So in Metro Toronto the implementation of this policy was postponed, pending reassessment, and when reassessment didn't occur to the anchor tenants, the anchor tenants appealed the apportionment in 1990 and the Assessment Review Board ruled that mall taxes be apportioned on the basis of fair market rent.

By 1993, the NDP government scuttled another Metro reassessment plan and the anchors ran out of patience, and the 1994 assessments were based on subsection 14(3). This, as I have already stated, resulted in a shift of \$14 million in property and business taxes from the anchors to the small stores, and this is the concern. This shift represented increases ranging from 18% to 800% for small retailers, all of which is totally unacceptable; in fact, rather alarming. So something had to be done and I think this is why we are all agreeing.

Certainly we in the opposition in the Conservative Party say there's much more that could be done. I don't think quite frankly that you've had the courage to delve into many of the issues that you've been obliged to do. Simply calling something the Fair Tax Commission to review something hasn't been enough. In fact, when was the last time we heard about the Fair Tax Commission? Where are they? Where are they having lunch? What are they doing?

The anchors in 1994, as I indicated, voluntarily paid \$8 million in additional taxes to help mitigate the impact on small stores. This bill, Bill 197, will, as I understand it, implement a consensus agreement among the anchors and the fair assessment committee of Toronto, which, representing the small stores under the anchors, will continue to forgo \$8 million in lower taxes to assist the smaller stores, pending reassessment.

So that, as I understand it, is the purpose of what this legislation is about and why the urgency of it. We simply don't accept the Finance minister's taking credit that he was the broker with respect to this agreement between the small stores and the anchors. If something hadn't happened, there would be an absolute financial disaster to the city of Toronto. We have to keep looking at that, and I'm afraid that's one of the problems that this government hasn't been doing. It's been procrastinating, ignoring. Obviously they haven't done what they were supposed to do.

The legislation really has done nothing to relieve the major problem facing both the anchors and the small stores. They simply pay too much in taxes. Everybody pays too much in taxes. Whether we're looking at commercial taxes or whether we're looking at residential taxes or whether we're looking at education taxes, the city of Metropolitan Toronto, and in fact all across this province, has got a great deal of concern.

Groups that want to come and use Toronto for conventions or other such purposes look at such things as the cost of alcohol, they look at such things as the cost of gas. When we look at what this government has done with respect to those taxes, added on to the slipping away

of commercial activity in this city, we've certainly got a problem.

There has been reference to the Metro board of trade study which cited the fact that there are 200,000 fewer jobs today in Metro than there were five years ago. The board of trade's claim is based on high property taxes and an antiquated assessment system, issues which this government simply refuses to address. So if this bill isn't passed, we clearly have a problem. But there's much more to do, which you haven't done. It's as if you're reacting. You're waiting until there's an unbelievable crisis, for example, that's occurred in Toronto before you come forward with this type of legislation. People have had enough with respect to taxes, whether it be property taxes, whether it be gas taxes, whether it retail sales tax, all the various taxes that we have in this province.

Of course, there's no secret as to why we in the Progressive Conservative Party are looking at that overall issue of taxes, the issue of the spending in this province, the issue of the debt. If you don't have taxes, the debt continues to increase. If you don't have grants from the province to the various municipalities, you're going to have an increasing number of fiscal problems. So we have indicated that what we intend to do is to make major cuts in taxes, major cuts in expenditures. All this government appears to do is this piecemeal attempt of Bill 197.

There have been many debates which have gone on, not only in Metro but around this province on the whole issue of taxes. I know the member for Oxford will take great delight in standing up and trying to criticize the former federal government, and he may be justified on that. The fact of the matter is that this province and, yes, this country have reached a debt load that is causing great concern among, particularly, the bond raters. When you think of the number of downgradings that this province has had since your government has come into office, eventually, the fear that is out there is that the bond raters are simply going to come in and say, "Listen"—

Mr David Wininger (London South): Business confidence is the highest in 15 years.

Mr Tilson: I'm telling you that the hints are out there. The economists are saying that the bond raters are going to come in eventually and say you're not going to get any more credit, and it's going to be the bond raters who are going to be dictating the political and economic policies of this province.

This piecemeal attempt may alleviate a serious disaster as far as large stores and small stores, but the fact of the matter is, it still doesn't deal with that issue that there are too many taxes for both and neither of them is satisfied.

So you've got a lot of work to do. I don't know how long you're going to sit in office. I have no idea when you're going to call the election, but you've had over four years to do something with respect to the whole tax structure. Yes, you've had the Fair Tax Commission, but, really, nothing's come out of that and there has been no other plan. You've put this province into a debt that has never been seen in this province before or in this country with respect to the debt of this province, the deficit of this province, the tax burden on this province when you

look at the history of tax increases. I'll tell you, there are many woeful people who are worrying about your economic policy and the effect that it's having on businesses.

All of this is important with respect to trying to encourage businesses, whether in Ontario or specifically Metro Toronto. If they look at these businesses that are leaving Toronto, particularly if you're a small business and you can't operate because of this type of tax structure we have—and yes, the Minister of Finance is going to have jurisdiction now by regulation to apportion these taxes, but it still isn't getting at the real problem, and that is the unbelievable tax burden that we've had.

We have a lot of things we've got to pay for. There's the whole reform of education financing that's needed in Metro. No grants come from this place, Queen's Park, the provincial government; it all comes from local taxation. So there is a need for financing in that place as well.

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There have been a number of articles written talking about the tax reform debate. I don't know whether the government's read any of them. I don't think they have. Certainly the Metro board of trade has put out a report which talks about this problem to some extent.

There was an article in the *Globe and Mail* of November 22 by John Barber. I'm sure the member for Oxford has looked at it. Mr Barber says, "The Metro board of trade deserves much of the credit for pushing tax reform back to the top of the political agenda." I think we do have to give them credit for that. "It has succeeded because," as Mr Barber says, "in this case at least, what ails its members also threatens the body politic."

He goes on and talks about the fear of Toronto "going the way of the big US cities." Look at what has happened in some of them. New York City has gone bankrupt at least once that I can think of. Is that liable to happen in Toronto?

Mr Sutherland: Orange county, California.

Mr Tilson: Yes, you can refer to all kinds of American cities. I think this provincial government, this place, has some responsibility in setting forth assessment laws and other tax reform that are going to assist specifically the city of Toronto.

Mr Barber continued by saying, "There is some dispute among experts about whether the tax gap actually is hollowing out Metro." Mr Barber says—I don't know it, but I have to accept it—that there are no studies to prove what is being alleged with respect to the comments made by the Metro board of trade. I'm not criticizing the Metro board of trade, but he's referring to the fact that there are no studies to prove what it is saying other than what our own common sense tells us: We look at empty buildings, we look at businesses that are going out of business because they can't afford to pay the taxes. So we have a lot of serious concerns with respect to this.

Mr Barber says, "For most businesses scouting a new location," and many of them are, for different reasons, "the only difference between North York and Vaughan is that property tax more than doubles as soon as you venture south across Steeles Avenue." That's how serious

it is. Once you get above Steeles Avenue you can have legitimate reasons for moving about, but when you're south of Steeles Avenue you've got a lot of serious concerns about the tax structure.

Mr Barber comments: "For many businesses stuck with empty buildings south of Steeles, demolition is becoming increasingly attractive. Turning unrentable buildings into parking lots lowers their taxes and creates some revenue, at least." Can you imagine? That's how bad it's got. Many of these businesses are talking about simply demolishing their buildings because it's just got so out of hand. "Make it a parking lot. We can't afford to continue." Hence, those paying taxes and the revenue coming in gets less and less. This whole issue cries out for major reform.

A researcher for the Metro board of trade, John Bech-Hansen, informed a group of experts who had convened to study this issue. He said the status quo is now totally unacceptable here in Metro, and that's what's been going on until now.

So this does give the Finance minister some flexibility, but it doesn't go far enough. It still doesn't solve the overall issue of the major tax reform that's going to be required. Quite frankly, I think you're going to have to start cutting taxes in some of these other areas that will encourage people to come to this province, whether it be on gas or alcohol or other such things that encourage particularly the conventions, all of which bring major revenue into the large hotels. Talk to the restaurant people: They have a real concern about the tax structure and the downsides of people coming to Toronto. This has been and still is, in my view, one of the greatest cities in the world, yet we have this concern that has been slowly creeping up on us to a crisis proportion.

Some of the experts pointed out at this recent convening that "the only thing less acceptable than the status quo is the board of trade's proposed reform." Essentially, the Board of Trade of Metropolitan Toronto is calling for "a massive shift of the property tax burden away from businesses and on to the backs of residents." Well, that's something I'd like to hear more about. When you start spreading it around, that means other people, the residents, are therefore going to have more taxes.

The fact of the matter is that we've got too many taxes in Metro Toronto. It has got completely out of hand. We've got too much government doing too many things that nobody wants, and that is the issue.

I'm not sure I essentially agree with the board of trade, although I certainly respect the fact that it initiated this debate and has got the government at least moving. But I'm prepared to hear more from them because they have made in the past, and continue to make, a major contribution to tax reform and other matters with respect to Metro Toronto.

Mr Barber continues: "That, given the reality of electoral politics, is a recipe for the impossible. It also ignores the fact that the Metro property tax system," as noted by Richard Gilbert, "discriminates against certain residents even more than it does against business." Mr Gilbert, as you know, is a well-known former municipal politician who has now gone on to greater things, and

you have to respect what he says.

All of these things need to be looked at, but the way it comes across, the government isn't looking at anything. I have no idea, as I say, what the Fair Tax Commission has been doing or what it's concluding. This problem became evident because, unless this pass bill was passed, we clearly were going to have an unbelievable crisis as far as Toronto is concerned.

"Indeed, the highest tax rates apply to residents in apartment or condo buildings with seven or more units." Then Mr Barber says: "What to do, then? Acknowledging the difficulty of comprehensive reform, University of Toronto economist John Bossons argued for temporary 'circuit-breaker' measures that would operate whenever," as he calls it, "the doughnut fryer threatened to overheat. One example would be a new rule, specific to the Toronto region, stating that no developed commercial property can pay more in taxes than an amount equal to half its rental income."

I have no idea whether this is being looked at by the government, because out of the blue, with a crisis, with about a week or so left, the government comes forward with Bill 197 and says, "If you don't pass it, we're going to have a crisis," and it's right. But what in the world has it been doing for the last four years? All these people have theories, some of which may be good, whether it's the board of trade or Richard Gilbert or others. It's as if the government hasn't been listening to these people—or indeed John Barber, the person who is writing the article I am referring to.

Mr Barber continues by saying: "Reform of education financing is also a clear priority, especially in Metro Toronto, where schools are funded entirely by property tax and attract none of the grants available to schools elsewhere. Taxing all Ontario businesses at a uniform rate for the purpose of education would automatically reduce taxes paid by Metro businesses by 6.1%, according to the board of trade."

I'm sure that's very fine, although I'm not too sure whether the rest of Ontario would agree with that position. But again, the pros and cons really haven't been put forward in any paper I've heard of that the government is doing, so what is it doing over there?

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Mr Barber concludes by saying: "Measures like this would allay the current crisis, but I doubt they would do much to rewrite," as he calls it, "the doughnut story." You'd have to read the whole article to get this. "There are far more powerful incentives to sprawl than the property tax system, and removing them will require much more radical reform."

The debates continue, the efforts by the Richard Gilberts and the Metro board of trade and others continue to be put forward, yet this government remains silent as to exactly what it's doing. Statistics Canada, it's been pointed out in this House, has said that in the small business sector where we are seeing jobs created, this sector particularly in the malls, is suffering from this reapportionment, that we'll see jobs lost, notwithstanding the legislation, because of reapportionment decisions.

Jobs continue to be lost, notwithstanding all of this. Why are they continuing to be lost? The government doesn't seem to want to deal with that specific issue.

I could conclude that in terms of the real problems of taxes in Metropolitan Toronto, the assessment system is one, but the other is the high taxes. Yet the government continues to go on its way by saying: "We believe in the status quo. We're going to continue to allow to have high taxes." You can fool around with all these provisions in the Assessment Act—many of these provisions most of us can't understand—but the problem is that you keep piling on all these taxes. It concentrates in the city of Toronto and it concentrates around the province of Ontario. But the fact is that the taxes are too high.

It's been pointed out that last year in Scarborough, there were 42,000 property appeals, 24,000 appeals in North York, 11,000 property assessment appeals in the city of Etobicoke; in the city of Toronto there are hundreds of millions of dollars of business assessment under appeal right now. Is the government addressing these problems? The answer is no, "Just let time go by and time will deal with it all." Time is not going to deal with it all. You have to start dealing with some of these issues or not just the city of Toronto but the entire province of Ontario is going to have a very serious crisis.

I will be supporting the bill, but I plead with the government to take more action than it is with respect to higher taxes not only in Metro Toronto but all across this province.

The Speaker: I thank the honourable member for Dufferin-Peel for his contribution to the debate and invite any questions and/or comments. Is there further debate? Seeing none, the honourable member for Oxford.

Mr Sutherland: I know folks want to move on to the supply bill, but I wanted to respond to some of the comments that were made about certain issues related to this bill. I think I got general support for the bill from the members for Scarborough-Agincourt and for Dufferin-Peel, but they raised several other issues about assessment in the Metropolitan Toronto area. I think we all agree that there are some real issues that are going to have to be addressed regarding assessment in Metropolitan Toronto. The history of those problems, as we all know, goes back 25 or 30 years, in some cases, in how things have evolved.

The member for Scarborough-Agincourt mentioned jobs being lost in Metropolitan Toronto and that some of that had to do with taxes, and the member for Dufferin-Peel said that as well. Let me say, though, that there are many reasons that has occurred. I am not sure taxation is the only reason. The recession has certainly hit Toronto. We know the vacancy rates in the hospitality sector, hotels, have been much higher than they had been in the past; the recession hurt that area quite badly, and I am sure they're suffering a little more as a result of the strikes going on in professional sport. There are a lot of reasons.

I want to respond to the member for Dufferin-Peel about taxation issues. He said the government hasn't done anything to address the taxation issue here in Metropolitan Toronto. I want to remind him that it was this

government that did repeal the commercial concentration tax that was put in effect by the previous government just as the last recession was beginning and certainly did have a negative impact. We have done something here.

He also talked about taxes and provincial taxes being too high; provincial taxes need to be reduced so you can provide grants to the municipalities. I find it interesting that the member for Dufferin-Peel would talk about grants to municipalities and try to relate it to the Common Sense Revolution because, as you know, it's not one of the protected areas. Municipal grants will be reduced by 20%, so for the member for Dufferin-Peel to get up and say if you're offloading, if you don't cut the taxes and you can't provide the municipal grants, then that's going to increase property taxes.

What we have today, and I just want to get this on the record, is that the member for Dufferin-Peel has clearly said that the Common Sense Revolution is going to cause large property tax increases. I don't think that's been on the record yet and we just heard him say that if you reduce grants to the municipalities, that'll increase property taxes. They're not protected in the Common Sense Revolution, they're subject to a minimum 20% cut, maybe more. I want to see them go out and campaign on increased property taxes in the next provincial election. That's exactly what the member has said.

I know some of my colleagues are getting a bit antsy here and they want to move on. I have a great deal of deference and respect for them, so I'm going to bring my comments to a close. I just wanted to ensure that everyone understood that we've just had it confirmed that the Common Sense Revolution is going to cause an increase—

Mrs Margaret Marland (Mississauga South): On a point of order, Mr Speaker: I do not believe there is a quorum present.

The Speaker: Could the table determine if a quorum is present?

Acting Clerk Assistant (Ms Donna Bryce): A quorum is not present, Mr Speaker.

The Speaker ordered the bells rung.

Acting Clerk Assistant: A quorum is present.

The Speaker: The honourable member for Oxford.

Mr Sutherland: Speaker, I've finished my comments.

The Speaker: Mr Sutherland, in the absence of Mr Laughren, has moved third reading of Bill 197, An Act to amend the Assessment Act. Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

SUPPLY ACT, 1994

LOI DE CRÉDITS DE 1994

Mr Sutherland, on behalf of Mr Laughren, moved second reading of the following bill:

Bill 204, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 1995 / Projet de loi 204, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 1995.

The Speaker (Hon David Warner): Does the member for Oxford have any opening comments?

Mr Kimble Sutherland (Oxford): Yes, I have a couple of minutes of brief comments. In some of the debate and within the last week or so, we have heard people talk about job-killing legislation, we've heard them talk about how things are in a very poor shape in the province of Ontario.

I just wanted to put a few points on the record of some real economic facts. The facts are that unemployment is down significantly in the province of Ontario. In my part of the province it's the lowest in the entire country, below 6%; lots of investment going on. In my part of the province, a lot of the reason the unemployment rate is down so much is because the auto sector is doing extremely well. That has to do, of course, with some of the significant investment we've had in this province since 1990. I just want to point out we've had over \$5 billion worth of investment in the auto sector since 1990.

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I don't know how people can get up and say then that the policies of this government have driven jobs away, have driven investment away, and continue to say that and expect the people of Ontario are really going to believe that when we know unemployment is down, when we've had significant investment, when we're creating a tremendous number of new jobs in this province. The OECD, the Organization for Economic Co-operation and Development, has said that this province is going to lead the country and lead the entire region in economic growth next year.

While managing through difficult times over the last four years, we are now seeing the benefit of some of the tough decisions this government has made, of some of the strong key investments we made in capital infrastructure that have supported new opportunities, new economic activities throughout the province. We've worked with different communities, whether that be in Kapuskasing, Sault Ste Marie, Thunder Bay or other parts of the province, to help companies get through the difficult time, to see those companies expanding and taking new orders; just tremendous opportunities.

I think it's important to have put on the record that in spite of some of the allegations that have been made about this government's policies—killing jobs, driving investment away—the facts speak for themselves and the facts in 1994 are proving that rhetoric is wrong. I suspect some people are going to continue with that rhetoric, and fair enough for them, but I want to tell you, I know the people I talk to are certainly indicating that there has been a change in the last year. The economy is picking up. People are feeling more positive and they're just not buying this rhetoric when all the economic facts are pointing to a very, very strong improvement in the economy, in jobs and in getting people back to work. The recovery is very strong.

We've got some work to do on other issues. There is always going to be more to be done, but I think the tough decisions, the strong leadership, the good plan of investing in jobs, maintaining services and continuing to live within our means through deficit reduction, and extra

revenue that's coming in being used to reduce that deficit quicker, is a very effective plan. We're seeing the people of Ontario respond to it, we're seeing people in the business community respond to that very effectively, and as a result we're seeing strong economic growth—as a matter of fact, the strongest economic growth in the country this year and that's going to occur in 1995 as well.

I just wanted to put those few points on the record as we discuss second reading of the Supply Act.

The Speaker: I thank the honourable member for Oxford and invite any questions and/or comments. Is there further debate on this bill?

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased that the member for Oxford started his comments on supply the way he did by challenging all of us to look at the facts and to talk about the success of the NDP government in getting Ontario's economy rolling.

I use the government's facts when I'm commenting on the economy and the success of the NDP on managing the economy. I really think any objective reader of the government's own Ontario Economic Outlook, which is firstly a report card on the record of the NDP and then an outlook for the future—the one thing we know is what's actually happened in the past, what's happened to date. I'll comment on that and then I'll comment on the economic outlook. This document, by the way, was put out by the government just a week ago. It's their Ontario Economic Outlook. It's the facts as they present them to us.

I just want to talk a little bit about the facts of the NDP's record here in Ontario, firstly on managing the economy. The member for Oxford just said that job creation is going just great. He's very proud of the job creation record, the member said. The government's very proud of the job creation record.

I take you to the table in the document that deals with job creation, Mr Speaker, and for any people who are inclined, it's table 31 in the Economic Outlook. Here's what the facts point out, the facts by the government itself. It shows here employment in Ontario in 1994: 4,849,000 people; in 1989, 4,949,000 people, 100,000 fewer people working in Ontario, according to the government's own figures, than in 1989. The rest of Canada in that same period of time—the other nine provinces—is up 240,000. Those are the facts from this government document. We have lost 100,000 jobs in the province of Ontario. The rest of Canada has gained 240,000.

The government here points out that in 1994 we are going to see fewer jobs created in Ontario than we did last year. That's not me speaking, that's the government's own book. Last year, 79,000 jobs created in Ontario; this year, according to the government's own numbers, 54,000 jobs. So what's happening? Why is that? Why are we seeing fewer jobs created in the province of Ontario in 1994 than we did in 1993?

Hon Richard Allen (Minister of Housing): Forty-five thousand jobs just in the last month.

Mr Phillips: One of the ministers is barracking over

there, but I'm quoting the government's own numbers.

Hon Mr Allen: Get up to date.

Mr Phillips: The minister says get up to date. This is the document put out last week. This is what you put out last week.

Hon Mr Allen: One thousand five hundred jobs every day last month.

Mr Phillips: I must say, as well, that among our young people, which is perhaps one of the most tragic situations, here in Ontario we now see among our young people, 230,000 fewer jobs for our young people than we saw in 1989. The population of young people is unchanged, exactly the same number of young people in 1994 as there was in 1989, but we see 230,000 fewer jobs. That's up to date. Those are the government's own numbers. Those numbers are up to date and they are a tragedy.

We see even now, even in 1994, up to date—the minister wants up-to-date numbers—these were the numbers that were released a week ago. You want up-to-date numbers: 18,000 fewer jobs for our young people this year, the 11 months this year. Those are up-to-date numbers if you want up-to-date numbers. The minister is barracking over there about up-to-date numbers. Those are less than a week old.

Mrs Margaret Marland (Mississauga South): He's the Minister of Housing.

Mr Phillips: It's the Minister of Housing; 18,000 fewer jobs and if you're proud of that, you should be ashamed of yourself: 18,000 fewer jobs among our young people.

We see literally tens of thousands of young people who have dropped right out of the labour force and so if the government is proud of that record, it's an NDP government that should hang its head in shame. Those aren't my numbers, those are the government numbers that they produce for us in this document and the employment numbers that were released less than a week ago.

We talked earlier about jobs here in Metropolitan Toronto, and if you want to see a significant problem in jobs, it's Metropolitan Toronto, where we've lost in Metropolitan Toronto 15% of the jobs. You want up-to-date numbers? The Minister of Housing said get up-to-date numbers. These were the numbers released last Friday, six days ago. In Metropolitan Toronto, the number of jobs in November 1994—that was released less than a week ago—45,000 fewer jobs in Metropolitan Toronto in November 1994 than there were in November 1993. Those are up-to-date numbers. Those are the facts.

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Hon Mr Allen: Why don't you tell them about the 45,000 that were created last month alone?

Mr Phillips: The Minister of Housing continues to barrack, when the numbers that were released less than a week ago point out here in Metropolitan Toronto, for the month of November, 45,000 fewer jobs.

Ms Christel Haeck (St Catharines-Brock): Forty-five thousand fewer jobs? Forty-five thousand more jobs.

Mr Phillips: No, 45,000 fewer jobs in Metropolitan Toronto. If you don't understand that those are the numbers, then you are not getting the facts from your government members, you're not getting the facts.

The second thing, again up to date: This is what the government put out a week ago, the economic outlook. What does it say about on social assistance caseloads? They're not going down, according to the government's own figures—not my figures, the government's own figures. The number of social assistance caseloads in 1994 has gone up by 18,000 caseloads. Those are the government's numbers.

The member for Oxford was proudly talking about the amazing accomplishments of the NDP government. On the jobs front, there is no doubt, Ontario has struggled: 100,000 fewer people working in the province of Ontario than five years ago. And we should all recognize, because the government talks about it, that every year roughly 70,000 people enter the workforce, so you can imagine: All those people have entered the workforce but we have 100,000 fewer jobs in Ontario than we had in 1989.

I take the facts that—I hope these are the facts because the government puts these out as the facts. The member for Oxford talks a lot about exports. I will just say that there is a very curious thing going on with our export-import situation in Ontario that I think needs further study. There's something called the international merchandising trade figures. These are the exports and the imports that Ontario sells or buys in other countries, the United States and the rest of the world.

Yes, exports are growing, and I'm very happy about that; they're growing dramatically in the US. As a matter of fact, since 1990 exports in Ontario are up \$21 billion. That's good, that is a sign of our manufacturing sector being able to compete very aggressively in the United States. However, at the same time, imports are up \$27 billion. What it means is that we now have in Ontario a trade deficit of almost \$12 billion: We are importing almost \$12 billion more goods than we are exporting. And by the way, the rest of the country has a merchandise trade surplus of \$29 billion. Ontario has a significant merchandise trade deficit, and growing: As a matter of fact, in 1990 the trade deficit was \$4.6 billion, this year it's \$11.7 billion, almost \$12 billion.

So we see that in Ontario, yes, exports are growing but imports are growing faster. I believe that's a signal, particularly when we have benefited substantially from a dramatically lower Canadian dollar, as we all know. The Canadian dollar has probably declined in that period of time from 1990 to 1993 by 8% or 9% and made our export business far more competitive and made it far more expensive to import. But something is happening: Our imports are growing dramatically faster than our exports. My leader, Lyn McLeod, raised this the other day and the government seemed to be upset that she would raise it, but surely that has to be a concern for all of us.

I would also say on the export situation that what is happening in terms of who we do business with is that in 1990, 85% of our exports were to the United States and now it's very close to 90%, so our export trade is grow-

ing, but it's all with the United States.

On one hand, I say great, we are able to compete far more aggressively in the United States; our manufacturing sector has proved it can do business in the United States just fine. But there are two troubling signs on the horizon.

In many ways it's mildly ironic that the NDP was probably the party most opposed to the free trade agreement, the party that said the strongest, "We have to do business with the rest of the world; we can't be tied to the United States," but since the NDP became the government, Ontario's dependence on the United States as the trading partner has increased dramatically. Now 90% of our exports are going to the US and 10% to the rest of the world; when they came into power, it was 15% going to the rest of the world. Rather than developing our business aggressively with the rest of the world, we are increasingly more dependent on one country.

I want to make it very clear that I very much appreciate doing business with the United States. We have an enormous asset there. Geographically, we are well located and, as we all know, our infrastructure, our ability to deliver goods within 24 hours to the major northern part of the United States is a huge asset. We're benefiting, I might say, from the fact that many of the northern states in the United States have had an economic resurgence as well so the plants there are doing well; our auto sector is without doubt benefiting from that. I am very pleased to see exports to the United States growing and I am very pleased to see that our manufacturing sector can compete, without question.

But I am just saying there are two huge concerns here. One is that at a time—low dollar, aggressive moving into the United States—when one would have expected our trade deficit to be narrowing, it's widening dramatically and quickly. As I said, in the rest of Canada the trade surplus is quite significant.

The second thing is that at a time when the economy in particularly the Far East is growing very dramatically, with real growth in many of the countries of the Pacific Rim of 8%, 9% and 10%, and we should be aggressively going after that—and I happen to believe strongly that Ontario is uniquely suited to it. I've said on other occasions in the Legislature that we have a unique opportunity in Ontario to be doing business in the Pacific Rim. We have business people who have come to Canada from that part of the world, very successful business people. We have here in Toronto the consulates that will be of great assistance—you know it better than I, Mr Speaker, because you are familiar with the consuls—to us having access to trade there. We are in an era when communications and things like that are far more important, so the geographic distance is less important now.

Mrs Marland: On a point of order, Mr Speaker: This member is giving some valuable argument to the debate and there are 10 members in this House at this time. I do not consider that, nor I think do you, a quorum.

The Speaker: Would the table determine if a quorum is present.

Acting Clerk Assistant (Ms Donna Bryce): Speaker,

a quorum is not present.

The Speaker ordered the bells rung.

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Acting Clerk Assistant: Speaker, a quorum is now present.

The Speaker: The member for Scarborough-Agincourt may continue with his speech.

Mr Phillips: I was talking about the issue of imports and exports in Ontario, saying that if one were to bet when our trade/sw surplus should be occurring, it would be now. Clearly our auto sector is booming, the dollar is at a very low point right now and should be negatively impacting imports and positively impacting exports, yet we see the trade deficit in Ontario growing to \$12 billion, up from roughly \$4.5 billion in 1990.

Mr Norm Jamison (Norfolk): What about interest rates?

Mr Phillips: One of the members coming in said, "What about interest rates?" Interestingly enough, the rest of the provinces have the same interest rates as Ontario, yet the trade surplus in the rest of Canada has gone from \$22 billion in 1992 to \$29 billion in 1993. With the same interest rates in the rest of Canada as Ontario, the rest of Canada has dramatically increased its trade surplus at exactly the same time as Ontario has dramatically increased its trade deficit. I would hope the government would appreciate that we begin to get ourselves into significant problems if all we're doing is, yes, increasing our exports but our imports are increasing far faster than that.

To go back, the NDP member opened his comments by saying, "Let's look at the facts." I look at the facts. When the government puts out a document like this, I study it, because these I presume are the facts they want us to look at. I see a trade deficit growing dramatically in Ontario and a trade surplus growing dramatically in the rest of Canada.

Mr Jamison: What about real growth?

Mr Phillips: I really appreciate the member throwing me some good suggestions. "What about real growth?" That's what one of the NDP members across the aisle said. Understand this, and again I use the government's own numbers: The output, or to use the economists' jargon, the gross domestic product in Ontario in 1994, according to the government's own numbers, is now only just getting back to where it was in 1989. We have gone five years, and we are only now in 1994 back to the output we had in 1989. In other words, we've had zero growth.

Mr Bernard Grandmaitre (Ottawa East): Stalemate.

Mr Phillips: That's right, "Stalemate," my colleague says. Zero growth in the province of Ontario over five years.

So we often run into people who say, "Well, if the recovery is occurring, I'm still not quite feeling it." And why aren't we quite feeling it? It is because it's taken us five years to get back to where we were in 1989.

Hon Bob Huget (Minister without Portfolio in Economic Development and Trade): Ahh.

Mr Phillips: The members across may not like to hear that, but those are the numbers that the government puts out itself and that's what we all understand: five lost years in the province of Ontario.

I can go on. I'll go on to the government's own estimates on housing starts. Again, these are the government's own figures on housing starts in the province of Ontario, and what you find here is in 1989, 93,000 housing starts, then—

Hon Mr Huget: What about 1988?

Mr Phillips: The members says, "What about 1988?"—100,000 housing starts. What did we have this year in Ontario? Fewer than half that. In 1993, 45,000, and then, with the big recovery in 1994, 48,000 housing starts.

So you go through this entire document. What are the most important elements of the economy? Jobs. What's happened to jobs?

Hon Stephen Owens (Minister without Portfolio in Education and Training): It's depressing, Gerry, I know. You just can't take it.

Mr Phillips: The member across we can't stand the prosperity.

Hon Mr Owens: You just can't stand it, can you, Gerry?

Mr Phillips: Well, I'll just say to you, if having fewer jobs created in 1994 is what you call a great economic performance, fewer jobs in 1994 than 1993, there's something wrong.

Hon Allan Pilkey (Minister without Portfolio in Municipal Affairs): November 1944, 45,000 new jobs created in Ontario, the highest in the nation.

Mr Grandmaitre: In 1944. You're living back in 1944. That's about your speed.

Interjection.

The Speaker: Order.

Mr Phillips: Once again, one of the other cabinet ministers is sort of yelling across the House, but I take the figures directly out of your own document. You may not have been here earlier.

You said, what about the updated numbers? November 1994, numbers released six days ago, update numbers: Metro Toronto down 45,000 jobs. Those are the up-to-date numbers. Those are the numbers you released six days ago. Metro Toronto, November 1994, down 45,000 jobs, the government's own numbers from this document released a week and a half ago. As a matter of fact, the numbers just released six days ago. Ontario will see this year 64,000 jobs created. Those are the government's own numbers. I'm not arguing with your numbers. You gave us these numbers. Last year, 1993, 79,000 jobs.

You have to understand your own numbers, the numbers you're telling people, the facts. Fewer jobs are being created in Ontario in 1994 than in 1993. That is irrefutable. They're your own numbers.

Fewer jobs being created; social assistance caseload rising. Those are your own numbers. You released them less than two weeks ago, and confirmed them. I'm not making these up, I'm just repeating the numbers you

prepared and gave to us. Social assistance going up, 678,000 cases.

Hon Mr Pilkey: Check page 10—

Mr Phillips: These are your own numbers. The gross domestic product in 1994, the output in Ontario, just back to where it was in 1989. Housing starts, half what they were in 1989. The trade deficit, the highest we've had in years.

So I go back to what can only be described as an F.

Hon Mr Huget: What's your solution, Gerry?

The Speaker: Order.

Mr Phillips: I know you don't like to hear these numbers. I know you're getting angry about them, but the member for Oxford started his comments by saying what a wonderful economic performance the NDP government had. Give this to any objective individual and say, "Take a look at the NDP record, on any basis you want. Take a look at the NDP record." Take a look at the NDP economic record and it's a failure.

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Hon Mr Huget: You have to take a look at the recession too.

Hon Fred Wilson (Minister without Portfolio and Chief Government Whip): The one you created.

Mr Phillips: There the members say you have to look at the recession. I go back to the point, 100,000 fewer jobs in Ontario. What about the 240,000 more jobs in the rest of Canada?

The member says interest rates have affected imports. How can it be that the rest of Canada has a \$29-billion trade surplus and Ontario has a \$12-billion trade deficit? How can these be?

Hon Mr Owens: Gerry, did you have a trade deficit when you were a minister?

The Speaker: Order.

Mr Phillips: Now I want to talk a little bit about the finances of the province, and I know the government's angry at me pointing out—

Ms Haeck: No, no, we're disappointed.

Mr Phillips: I know you're angry. You're getting angry that someone would point out what is in your own Economic Outlook.

Mrs Marland: On a point of order, Mr Speaker: I plead to you, interjections are out of order. I am sitting two seats away from the speaker and I cannot hear him.

Mr Gary Wilson (Kingston and The Islands): Well, Margaret, move over a couple of seats.

Mrs Marland: I think it's outrageous that the government members come into this House and all they can do is have interjections on the floor.

Interjections.

Mr Paul Klopp (Huron): The member for Ottawa East; aren't you lucky?

The Speaker: Order. The member for Huron, please come to order. Indeed the member for Mississauga South has a point of order. It is becoming increasingly difficult to hear the member for Scarborough-Agincourt, who has been recognized and has the floor.

Mr Phillips: Thank you very much, Mr Speaker. I'm sorry to, as they say, upset the NDP members, but all I'm doing is, I am trying to use your own documents to point out the economic record.

I've talked about the economy. I want to talk a little bit about the finances, the fiscal record of the government. I want to just go over, again, what can only be described—I mean, anybody who looked at the fiscal record of this government would give it an F.

Hon Mr Wilson: What did our Treasurer say?

The Speaker: Order.

Mr Phillips: I appreciate that, for whatever reason, the government members may not want to hear this, but I will just go over the—

Interjections.

The Speaker: Order.

Mr Phillips: I'll make it easy for you. The Provincial Auditor. You don't have to rely on opposition numbers. Let's talk about the Provincial Auditor. What does he say?

When the NDP took over, when the new government took over, the deficit—

Hon Mr Wilson: Tell us how much, Gerry.

Mr Phillips: Well, I appreciate again the members giving me a chance. Here's what the Provincial Auditor said about the deficits.

Interjections.

The Speaker: Would the member for Scarborough-Agincourt take his seat, please. I must now begin to caution members that they are causing disorder in the House, and if they do not come to order, they will be named. The member for Scarborough-Agincourt has the floor.

Mr Phillips: Thank you, Mr Speaker. I'll go back to what the auditor pointed out. When the NDP took over, the accumulated deficit in the province of Ontario was \$35.4 billion. That's the accumulated deficit for the whole history of the province.

What does the auditor say the accumulated deficit is now? He says at the end of 1993-94, March 31, 1994, it went from \$35 billion to \$80 billion. Then the auditor goes on to say, at the end of 1994-95 it will be over \$90 billion. Think about that. The accumulated deficit of the province of Ontario, the debt, has gone from \$35 billion to \$90 billion since the NDP took over—almost too incredible to believe.

We now have seen in their first budget, the 1992-91 budget, a \$10.9-billion deficit; the 1992-93 budget, a \$12.4-billion deficit; the 1993-94 budget, a \$10.8 billion deficit. And I might add that, while the government continues to say the deficit this year is going to be approximately \$8.2 billion, the independent Provincial Auditor—and this is someone I hope all of us have some faith in. I certainly do. I think the Provincial Auditor is clearly an independent body, knowledgeable, looks at it. What does the independent Provincial Auditor say this year's deficit will be?

Well, he says this: "The Ontario finances," the way that the province reports its books, "differ significantly

from their financial reality under any accounting rules." I'll read that again, because it essentially is a strongly worded statement: "The Ontario finances differ significantly from their financial reality under any accounting rules." In other words, it doesn't matter what accounting rules you use, the way the province of Ontario is reporting its 1994-95 budget, the budget we're into right now, differs significantly from financial reality. In other words, what we're getting from the government doesn't reflect financial reality.

We had a committee meeting, and actually one of my colleagues from what we call the third party, the Conservative Party, said: "All right, what is financial reality then? What is the real deficit in 1994-95?" Mr Peters, who is our Provincial Auditor, said, "That's the nub of the problem and that's why we said if the \$2 billion is treated the same way as the transactions were done last year, then the deficit would be in the \$10.9-billion range." What the auditor said was, "Financial reality means that this year's deficit would be in the \$10.9-billion range"—under any accounting rules. This isn't like, "Well, we're changing the accounting rules from one to the other, so it's just accounting, it's not real." Under any accounting rules, the deficit this year will be \$10.9 billion.

The reason I raise that—and again, I'm trying not to bait the government, because I'm using the Provincial Auditor's own comments—is that the deficit, according to the Provincial Auditor, in 1994 is not going down. The deficit is going up. It's going up. And yet I know the government wants to go around saying, "We have reduced the deficit by 30% over the last two years."

It's not true. It's not reality. According to the Provincial Auditor, it differs significantly from financial reality, what you're saying. The deficit is not going down, according to the Provincial Auditor; it's going up. That's a very important fact.

Hon Mr Allen: Addressing the question is entirely different than the question of the accounting of the deficit and you know it.

Mr Phillips: Well, the Minister of Housing is once again choosing to get upset at what the Provincial Auditor is saying, but the Provincial Auditor couldn't have more clear, saying it's—

Hon Mr Allen: You're playing with words and you're trying to hoodwink the public.

Mr Phillips: There's a very strong word. He's saying the Provincial Auditor is trying to hoodwink the public.

Hon Mr Allen: I said you are, and you know it.

Mr Phillips: The Provincial Auditor couldn't have been clearer. And you want to know who's trying to hoodwink the public?

Hon Mr Huget: You are.

Mr Phillips: The auditor has pointed it out. You are playing with financial reality.

Hon Mr Allen: You're playing with words.

Mr Phillips: I'm not playing with words. I am repeating what the Provincial Auditor said, and he couldn't have been clearer.

Hon Mr Allen: What a joke.

Mr Phillips: He couldn't have been clearer. He said he would not sign your books. The auditor will not sign this government's books, because it doesn't reflect financial reality, and you may not like to hear that—

Ms Haeck: He did sign them.

Mr Phillips: They say he signed the books. The only reason he signed the books was, he forced you—forced you—to change the way you report them. He said, "I will not sign them." The only way he signed them was that you changed the way you report them. You've increased the deficit by \$1.6 billion over what you'd been saying.

Interjections.

The Speaker: Order.

Mr Phillips: Forced you at the last moment. In fact, he was very clear. He said that the way you were trying to report your budget did not reflect financial reality under any accounting rules, and he forced you. He forced you to add \$1.6 billion to the deficit. He absolutely forced it, and you were trying, right up the last minute, not to do that.

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Now we see, Mr Speaker, the auditor could not have been clearer about this year's budget, that you are differing significantly from financial reality. He has made it clear that you have to change that, that the real deficit is \$10.9 billion, not the \$8.2 billion you're reporting. And frankly, you are becoming the laughingstock in the financial community. Nobody trusts the books any more. This has to be the only jurisdiction in the world with two sets of books.

You know what might be interesting, Mr Speaker?

Ms Sharon Murdock (Sudbury): Well, no one trusts the books since the \$26-million surplus.

Mr Gary Wilson: How did you figure out you had a surplus in 1990?

Mr Phillips: Well, I'll digress slightly, because they say: "Gee, you promised a surplus when you ran and then it became a deficit. How did that happen?" Do you all trust the Provincial Auditor? Here's what the Provincial Auditor said. Not me; here's what the Provincial Auditor said. Firstly, the Provincial Auditor said this, and this was a report in 1991. He looked at all of this. He said, firstly, Ontario has had only one surplus in the last 20 years—that's the auditor—the year ending March 31, 1990. Only one surplus in 20 years, the year ending March 31, 1990.

By the way, that was five months before you got elected. So five months before you got elected, a surplus, the only surplus in 20 years. Then the auditor goes on to say, there was supposed to be a second surplus. What happened? How did it go from a planned surplus to a \$3-billion deficit? The auditor explains all of that. Firstly, again, I repeat: only one surplus, the auditor says, in 20 years, the year ending March 31, 1990. So I know—

Hon Irene Mathysen (Minister without Portfolio in Culture, Tourism and Recreation): What did you do with all that money, Gerry?

The Speaker: Order, the member for Middlesex.

Mr Phillips: I know you've all been told: "Gosh, we

inherited a terrible mess. Things were just terrible." Five months before you got elected, the only balanced budget in 20 years in the history of the province. So I know you want to believe things were just awful, but the only balanced budget in 20 years.

The auditor goes on to explain why the second straight surplus didn't materialize. The auditor has looked at this, he looked at the whole thing, and he goes on to say that it was reasonable to expect at the time of the budget preparation for there to be a surplus. Three things happened, though, that led to the deficit. You may want to listen to this. I know you've been told the answer to this is you've got to tell your constituents, "We were left an awful mess," but you may want to listen to this and ask the next time you have the cabinet into your caucus, "How could this be?"

Again, I repeat: one surplus in 20 years, March 31, 1990. There was going to be a second surplus. The auditor explains that when the budget was presented, it was reasonable. Then he goes on to say that the extent of the recession, which was obviously not foreseen at the time of the budget, meant total revenues were down by \$1.1 billion, due primarily to the influence of the recession on taxation revenues. So the auditor says, all right, revenues dropped by \$1.1 billion.

Secondly, special payments were up by roughly \$1 billion, mainly social assistance. I think we can understand that, social assistance.

The third thing is the new NDP government chose to write three things off. You pay \$200 million to the teachers' pension fund, \$200 million to the teachers' pension fund that wasn't due; the Urban Transportation and Development Corp loan of \$400 million; and SkyDome, \$320 million. SkyDome, legitimate: Write it off. I agree with that. That was a good move, smart move. You wrote it all off, blamed the dastardly Liberals, then you sold it. That's fine. That's good politics. But the point is this: only one balanced budget now in 25 years, five months before you got elected, and then the explanation of the deficit. So I know you've all been told that your problems were as a result of what the Liberals did. Believe me, you inherited a province with a strong economy.

Now I wanted to stay on the Provincial Auditor, because some of you have been sort of yelling across that, oh, I'm exaggerating the Provincial Auditor's comments. Let's just go through 10 things that the Provincial Auditor caught you on. In fact, he used the language that you were "incorrect." That's pretty strong language, "incorrect."

One was the famed sale of GO trains. Just to remind the public out there, what the government did was it took \$425 million worth of GO trains and somebody in the government flew over to Bermuda, found a company in Bermuda that would buy the GO trains for \$425 million and then immediately—immediately—sell them back to the government. The government in a matter of minutes sold them—actually, it was for \$431 million—and then bought them back for \$431 million; in 10 minutes sold them for \$431 million and bought them back. What did that little game cost us? The fee for that alone, just the

fee, was a \$4-million fee. As the auditor points out, that wasn't a sale; it was a phantom sale. Nobody sold them. You just took a big mortgage out on them, and we paid, the taxpayers of the province of Ontario, \$4 million for that little manoeuvre, an offshore Bermuda company sale.

Again, you've only got to look at GO Transit's own financial statements. They say in there, "Under the instructions from the Minister of Finance, we did this." We're looking for money right now. A \$4-million fee for a 10-minute sale of a GO train is questionable at best.

The second thing the auditor points out—the public may not be aware of it—is the government has sold all the buildings around Queen's Park. I see the member for Oshawa here. They sold the Michael Starr building in Oshawa. The Michael Starr building in Oshawa has been sold. All those government buildings have been sold off, but they're not sold at all. The auditor quite correctly points out that wasn't a sale. All it was was a paper transfer from one arm of the government to another arm of the government so you could show a bunch of revenue coming in that wasn't revenue at all. Luckily, the auditor caught that. But all these buildings around here have theoretically been sold and then immediately, instantly, leased back. The auditor quite correctly points out that's wrong.

All of the school, hospital, college, university capital now, the government has done something else, the auditor said, that is clearly, totally wrong. It used to be that the province of Ontario gave roughly \$600 million a year in the form of grants to school boards, hospitals, colleges and universities for capital expenditures. The government tried to do something it called loan-based financing. I thought when that came out: "That sounds quite good. It sounds to me like the government's going to loan somebody the money and will get it paid back." That's not what it is at all. What it is is that the government says to a school board: "Listen. In the past, school board X, we may have given you a \$5-million grant to build that school, but we're going to do it differently now. You go borrow the \$5 million, because we want it on your books, but whoever you borrow it from, you tell them that we, the province, will commit to repay 100% of the principal and interest on that. It's just that we want to get it off our books on to someone else's books."

That's flim-flammy, and the auditor caught it. He said, "You can't do that." As a matter of fact, the auditor said to us, as members will know, he's been bombarded with phone calls from financial officers in hospitals saying: "They want us to put this down as a loan, but we think it should be recorded as a grant. Who's right?" The auditor says: "It's a grant. It's not a loan. Show it as a grant." The auditor forced that to be redone, and that's where he gets into this differing significantly from financial reality under any accounting rules.

The auditor also caught something that was interesting. In the Legislature today one of the members was talking about the Pension Benefits Act, as I recall. I want to remind the members: I think it was a year and a half ago, as I recall it now, but in any event, this Legislature was forced to pass—the government members passed it—a bill that exempted the government itself from the Pension

Benefits Act. The government actually took \$150 million out of the teachers' pension fund. That would never be permitted; there wouldn't be a private sector company in Ontario that could ever do that, that could ever get the Legislature to agree to pass legislation exempting itself from the Pension Benefits Act. The only way legally that the government could take \$150 million out of the teachers' pension was to pass legislation exempting itself from the Pension Benefits Act.

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Once again, fortunately, the Provincial Auditor caught that. He said, "You can't do that. That's not right," particularly when we have an unfunded liability in that pension fund that's in the \$7 billion to \$8 billion range. The idea of taking \$150 million cash out of a pension fund that has an unfunded liability in the \$7 billion to \$8 billion range is clearly preposterous. The only way that could be done, the only way, was the Legislature was required to pass legislation exempting the province from it.

I will also point out some other things that the auditor went over. All of us now know that our driver's licence now is a five-year driver's licence. You go and renew your driver's licence, you pay for five years. The government is taking all of that revenue—you pay five years, they'll take it all into revenue this year. What it means, of course, is that the government of Ontario will have five years' revenue in three years and then no revenue at all for drivers' licences in the last two, because everybody will have renewed their licences. We were at a three-year licence. We'll all have renewed it in 1993, 1994 and 1995, and then, surprise, surprise, no driver's licence revenue available in 1996 and 1997.

I go over this because the auditor has done the people of Ontario an enormous service. He has forced the government to revise its books for 1993-94 and, believe me, right up until probably about three months ago, the government was continuing to report the deficit in a way that the auditor would never, ever, ever have signed. We found that right up until September we were getting deficit estimates from the government that were \$1.6 billion lower than the final deficit because the auditor clearly forced the government to move on it.

The auditor pointed out those 10 things I've talked about, although I didn't go over all of them. There are other ones here, for example, of interest payments that were due but were delayed and should have been put in the year that they were incurred. The auditor got the government to make all those changes for last year, and then in his comments to the public, comments dated November 15, 1994, is where he, in what can only be regarded as strongly worded language, talks about the Ontario finances differing significantly from the financial reality under any accounting rules. Several of the people in the chamber were at the committee where he was asked the question, "If we used financial reality, what would the deficit this year, 1994-95, be?" He says it would be in the \$10.9-billion range.

So what we have been told by the government is that the deficit is on a stiff downward trend. What we've been told by the Provincial Auditor is that it actually is going

to go up this fiscal year, 1994-95, over 1993-94. When all is said and done, if you want my opinion on who I have confidence in and whose numbers I trust and whose numbers I think the public trust, and certainly whose numbers the financial community trusts and whose numbers, in the final analysis, will have to be reflected, the Provincial Auditor is the one I have the confidence in, and he has clearly pointed out that he doesn't trust the numbers of the government.

The reason I go through all of this is because the member for Oxford started the comment on supply by indicating that the government members feel things are just fine. I would say if you were to ask someone to do a very objective look at the economy in the last four years in the province and the fiscal situation in the last four years of the province, any objective look would say it has been a failure.

There is no doubt, when a government spends 25% more money than it raises; when the accumulated deficit, the debt, has gone from \$35 billion to—at the end of this year, in another four months, it will be \$90 billion; and when, as I say, they spend 25% more money than they raise and when, for four straight years, frankly there has not been an appreciable dent in the deficit. I know the government says, "Well, this year there's going to be, because the deficit's going to be \$8.5 billion," but the auditor says, "No, it isn't; it is going to be \$10.9 billion." So we will have gone four straight years of a flat deficit.

I actually would urge, particularly, the backbench members to challenge that. How can it be? How can it be that the Provincial Auditor is saying \$10.9 billion and we're saying \$8.2 billion?

The auditor went over in detail in the 1994 budget how he arrived at that number. For example, remember I mentioned earlier the government sold all these government buildings to itself last year. The auditor points out that this year it's planning to do more of the same. He says that's not a sale at all. That has nothing to do with revenue. All you've done is transfer a government building. You're going to keep using it. You're going to have it for yourself. Nothing's changed; you've just transferred it over. Some \$250 million worth of revenue is in this year's budget, and the auditor said, "No, you can't do that."

You remember I talked about the Bermuda sale of the GO trains, where somebody flew over to Bermuda, flipped the GO trains, sold them and then bought them back in 10 minutes? This year, the government's planning to do that with air fleets, ferries and bulldozers. Somebody in Bermuda, I gather, wants to buy the Ontario bulldozers and then sell them back to the government. That's \$165 million.

Then you may recall we talked about this loan-based financing. The auditor said: "That is not reality. That does not reflect reality." For those people who look at the budget, in 1993-94, there was \$854 million worth of those, and the government this year has put in \$1.6 billion of those loan-based finances and another \$349 million of other project-specific. The auditor said: "No, I'm not going to allow that. You can't call that loan-based financing and take it." Right now, none of that's in

the deficit. None of it's on the books. The deficit does not include that \$1.6 billion and that \$349 million, and the Provincial Auditor says, "Well, that's going to have to be put in there." That's where he gets to the \$10.9 billion.

The reason that's important, as I say, is that if the members think there's a significant reduction in the deficit, if you really believe that, you have a problem, because the auditor doesn't believe it. The auditor will not agree to it. It isn't accounting. I know you've been told: "Well, it's just their accounting rules. We're moving from one accounting system to the other and that's why it's happening." The auditor doesn't say that.

Well, the member for Oxford is shaking his head. The auditor says this: "Ontario's finances differ significantly from the financial reality under any accounting rule." He says this has nothing to do with accounting. This has to do with simply misreporting the numbers.

On the loan-based financing, he says they were incorrectly treated as loans receivable. On all of the sales of the government buildings, he says "incorrectly treated as revenue." And on the funds received from the Go Transit sale, they were "incorrectly treated as revenue." The auditor couldn't be clearer about that. This isn't accounting. This is not two separate accounting rules. This is just simply incorrectly treating them.

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So the reason for spending the time on it is that on both the economic side and on the fiscal side, one can only conclude that it has been a disaster the first four years.

The reason these things, in the end, are obviously crucial to the province of Ontario is that when we have a \$90-billion debt, several things happen. One is that the average family in this province now spends \$300 a month in taxes just to pay the interest on the provincial debt. You can imagine all the people out there, imagine every month. It would be an interesting exercise if everybody had to write a cheque to the provincial government covering their interest costs on the provincial debt. Five years ago, less than 10% of the revenues coming into the province were used to pay the interest on the debt. Now it's 17% or 18%.

Frankly, I will say this: The government has borrowed money very well. I will take my hat off to the Ministry of Finance officials. They are known as the most creative borrower in the world, and I say that to be somewhat complimentary. If you talk to the financial people, they will tell you that Ontario, if you can believe this, has won awards. Am I right? I think they've won awards for being the best borrower in the world. There are people who judge this stuff and the government of Ontario is truly the best borrower in the world. As I say, there are probably some nice trophies over in the Frost Building of number one borrower.

Mr Jean Poirier (Prescott and Russell): Oh, yes?

Mr Phillips: I'm not kidding you. There are these awards. They have had the best advice in the world. We've got some great financial advisers here in Toronto who have given them advice. I dare say that's where the

Go train thing came from. I dare say that's where every imaginable creative way of handling things has been done. I think the province just went to market yesterday with some creative things, if I'm not mistaken, and did quite well. We've got four-year bonds and 20-year bonds and we've got bonds in all sorts of denominations. We sell bonds in other denominations and then we swap them into Canadian dollars. I understand publicly that there is a bit of a downside to that. We've lost at least \$100 million if not \$200 million in one of those swap deals with one of the financial institutions that had some financial trouble, if I'm not mistaken.

Anyway, the point of all this is that we have become the world's biggest non-sovereign borrower. In other words, there are countries that borrow more than Ontario, but only countries. Nobody else but countries borrows more money than Ontario. We have been the most creative borrowers. We're going to embark in another few weeks on selling provincial savings bonds. When asked to comment on that, I said I don't have a problem with that. It's not, by the way, necessarily a cheap way to borrow money, because people in the financial markets will tell you that you've got to pay a lot of money to raise that, and it rolls over quickly, so you've got that annual expense. But they will—

Interjection.

Mr Phillips: Someone said, "Well, will they sell the bonds?" They'll sell the bonds, because they will get professional advice that will price them at the right level and they'll sell them. The institutions will sell them.

But the point is this: We now are the world's largest non-sovereign borrower. And make no mistake, we're on the edge right now. We have had three credit downgrades.

Interjection: Three?

Mr Phillips: Three. When the NDP came in, the province had a AAA credit rating, the best you could have. Then it was downgraded once to what's called AA+, then AA, then AA-. We now, with those three downgrades, are on the edge. One more downgrade, and we're into what's called the A credit rating.

We'll still be able to borrow money—I'm not one who says that suddenly we won't be able to borrow money—but the cost will go up substantially, because you move into A credit rating, your access is severely limited. I'm told that two thirds of the people who lend money to us now would not be able to lend money to us just because they are not allowed to lend money to an A- credit-rated operation. So we're right on the edge.

One of my concerns is that the evaluation of Ontario is based partially on really good analysis by people who watch this stuff carefully, but there's also some emotion involved in it. There's emotion involved in investment decisions from around the world, people in other countries looking where they may invest. Part analytical, part emotion. That's where, in my opinion, the two sets of books do us the most damage.

The credit rating agencies have the talent, the time, the expertise to do the analysis, to know what the real numbers are, but it is very unnerving to the world

financial community to hear that Ontario has a deficit number that the government is reporting, and then one that is about \$2.5 billion higher, according to the independent Provincial Auditor.

I've said this before, and it's true, that if this were a publicly traded company, if Ontario was listed on the Toronto Stock Exchange, first, no accountant could sign the government's books right now, the ones where the deficit is reported. There's no doubt of that. Nobody could.

Well, the Solicitor General is waving his hand, but the Provincial Auditor will not agree to it, will never agree to it. If it were a company, it would be delisted from the stock exchange. There's no doubt about that. And as we head up to the budget, it will become increasingly clear that the real number for the province is the one that the Provincial Auditor supports, not the one that the government's reporting.

So as we debate tonight what's called supply, where the government is looking for the support of the House for ensuring that it has the legislative authority to pay its bills, clearly, you will get that. Clearly, we will deal with that because it's in all of our best interests. It is, none the less, important that we review what the member who introduced the supply bill said, and that was that things are fine in Ontario.

I go back over what I regard as your own public report card, and I would just urge all of you to look at the numbers. I'm just repeating the numbers in this document, where on the job front you say the number of jobs created in Ontario in 1994 will be fewer than it was in 1993. No one's disputing that. Those are your numbers; that's what's going to happen. As a matter of fact, the numbers are now in for 11 months and there are 64,000 more jobs in Ontario than there were in the same period a year ago, but last year there were 79,000 more jobs.

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We are actually seeing fewer jobs being created in Ontario in 1994 than we saw in 1993. As the members know, in any normal year I think 75,000 people join our labour force. We'd all been expecting a drop in the social assistance caseload. I think we had been told that many of the programs that the government had implemented, that the Jobs Ontario Training program had moved—

Mr Sutherland: Working well.

Mr Phillips: The member says, "Working well"—tens of thousands of people off social assistance. I think there other tens of thousands who had been directed from getting social assistance to getting Canada pension or getting unemployment insurance, according to the government document, and jobs were supposed to have been created.

Yet, in spite of all that, we will see, according to the government's own numbers, a record number of people on social assistance in 1994, a caseload up 18,000. That's the jargon we use around here. I think normally a caseload represents two people, so that for each caseload there is actually an average of two people on social assistance, if I'm not mistaken. A caseload going up by 18,000 I gather would be another 35,000 people on

social assistance. The housing starts continue to be very weak. As a matter of fact, I was disappointed to see that even by—

Mr Drummond White (Durham Centre): How one equals two in Liberal talk.

Mr Phillips: I don't know whether I should be diverted by the—

Mr Poirier: No, never. Don't be diverted.

Mr Phillips: Okay. I'll just leave it to you to talk to your social assistance minister, who will explain caseload and numbers of people on social assistance.

But the number of housing starts—48,000 in 1994 and 54,000 in 1995—is still a major problem. As I said before, the gross domestic product, the output of the province, in 1994 will only get back to where it was in 1989. In spite of the fact that we are seeing very good exports, particularly in our auto sector, the output in the province in 1994 will just get back to where it was in 1989.

The one thing I'm very interested in is our merchandise trade, because I am convinced that the future of Ontario rests very much clearly on our ability to be able to trade globally, to compete globally and to be able to ship product around the world. I'm very concerned about the numbers in this document which show the trade deficit, the difference between our exports and imports. Exports have gone up \$21 billion since 1990 and imports have gone up \$27 billion, and our trade deficit is now approaching \$12 billion. In the rest of Canada, the trade surplus is \$29 billion. I raise this because I'm worried about it. I'm also concerned that we now see almost 90% of our exports going to the United States. I like doing business with the United States, but now, when we virtually have one customer, the United States—

Hon Mr Huget: Where have you been?

Mr Phillips: The member asks where I have been. I'm just repeating the numbers in your own document, where now 10% of our exports go to the rest of the world and 90% to the United States. As I said before, it's almost ironic that the party that had a huge problem with free trade and felt that doing business with the rest of the world was going to be the solution, that for whatever reason, the trend's actually gone in the opposite direction.

On the economic front, that's what's happened, and on the fiscal side, as I say, we will now have seen four straight budgets with deficits well in excess of \$10 billion. I don't think there's any doubt that when people—and the NDP itself, I think—look back on the NDP government, they would say the biggest mistake was that first budget where you said you were going to spend your way out of the recession. I re-read that document often.

Interjection.

Mr Phillips: The Solicitor General's come back in. I went over this earlier. I don't want to have to go back over the same ground again, but I would be happy to. There's no doubt that the single biggest mistake was that first Bob Rae budget where they were going to spend their way out of the recession. It was the only jurisdiction in North America that had that fiscal plan. The word

"restraint" never appeared in that budget, the word "restraint" wasn't in that budget anywhere, and, at a time when inflation was running around 2%, spending in that budget went up 14%. I think even the NDP privately would say, "If we could ever turn the clock back, we would never have done that." That started the big fiscal problem.

As I say, we will see. That deficit ended up at \$10.9 billion; the next year, \$12.4 billion; 1993-94, \$10.8 billion; and, according to the Provincial Auditor, this year's deficit is up to \$10.9 billion—four straight years with deficits well in excess of \$10 billion, spending 25% more money than is coming in and running up that accumulated debt of \$90 billion.

The lesson the federal government teaches us is that you get on to a debt treadmill. With the federal government right now, 34 cents of every dollar that comes in goes to pay the interest on the debt. They are really being hit right now with increased interest rates. I will say that Ontario, so far, has not been hit heavily with increased interest rates, primarily because most of our debt is longer-term; we pre-borrowed a lot of it. Again, I go back: I think the borrowing operation of the province of Ontario has been darned good.

Mr Michael A. Brown (Algoma-Manitoulin): Let's see those trophies.

Mr Phillips: As I said earlier, they truly have won international awards. I wouldn't mind seeing the trophy case for number one borrower, most creative borrower and best new idea on borrowing. Almost every imaginable technique for borrowing has been used by the province of Ontario. I said earlier, and I'll say it again, many of these creative borrowing techniques, the Bermuda sale of the GO trains and the sale and leaseback of the government buildings—I do know that they, and the Solicitor General will be interested in this, are eventually going to sell the jails. They've sold the courthouses and leased them back. They're going to sell the jails and lease them back.

Hon David Christopherson (Solicitor General and Minister of Correctional Services): Gerry, come on.

Mr Phillips: The member says, "Gerry, come on." He's the Solicitor General; he's in charge of it. They've told us that. I don't know whether they've told you that, but they've told us that. That's part of the plan: They're going to sell the jails and then lease them back. The only thing that will stop that is the Provincial Auditor saying, "That does not reflect financial reality."

The Provincial Auditor has got the handle on that. The problem is that he cannot force the government to change. His hands are tied. He cannot force the government, until the books are closed, to change. But he's told the public and ourselves that if you want financial reality, the real deficit is \$10.9 billion. Until we get financial reality, I think we create in the public a sense of a lack of confidence.

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I know exactly what's going to happen. The NDP will be out in January and will be saying, "The deficit's down 30% from two years ago." I would just say to the public

and the Provincial Auditor: "Thank you, Provincial Auditor. You've given the right number." They will say, "Jobs are being created at a record clip," and we'll look at the numbers and say, "How could that be, 100,000 fewer jobs now in Ontario than in 1989?"

The good news, if you will, is that—

Mr James J. Bradley (St Catharines): There's an election coming.

Mr Phillips: There's an election coming; that's part of the good news, thank you. We are seeing some signs of the economy growing. I'm very pleased with the economic growth so far in Ontario.

Mr Bradley: Is Bob Rae giving any credit to the federal government for that or not?

Mr Phillips: My colleague said, is he giving any credit to the federal government? I appreciated, by the way, the Team Canada trip to the Far East.

Mr Bradley: I have the photos.

Mr Phillips: There's the photo there.

Mrs Marland: Who went on that?

Mr Phillips: The Premier and the Prime Minister.

If you recognize that 90% of our business is done with the United States, we truly do have to build our business elsewhere. In my opinion, the Far East offers a good opportunity. I was pleased to see the Prime Minister going to the Far East and I was pleased to see the premiers going. I know that Premier Rae expressed reluctance initially, for whatever reason.

Mr Bradley: He was selling Candus when he was over there.

Mr Phillips: Well, he was selling Candus. He expressed reluctance to go over, but in the end agreed to go over, and I was pleased with that. I was pleased to see the nine premiers over in the Far East. That one single trip, with the Prime Minister leading it, I think established in that part of the world that Canada is keen to do business there, Canada is anxious to do business. I was pleased to see all of the arrangements that were completed there. I was very pleased to see that happen.

I think most people watched the Prime Minister and the Premier over there. I expressed, and I'll express it once again, my personal thanks to the Premier for the trip. As I said in the House earlier, the Prime Minister's always in some danger on a trip like that, but the Premier, I think maybe at his own personal risk, never left the side of the Prime Minister through the whole trip. I think all of us appreciate it that the RCMP couldn't always be at the side of the Prime Minister, but Premier Rae was. As I said before, I think sometimes the scariest moment is when the media come rushing forward and those television lights go on and there's turmoil. I appreciated particularly that when those cameras came on Premier Rae, at great personal risk, shielded the Prime Minister from the glare of those lights.

There he is—I don't know whether everybody can see at home—at one of those tense moments. That's Prime Minister Chrétien and there's about a quarter of an inch between Premier Rae's head and the Prime Minister's head.

Mr Bradley: I think you'd need a crowbar to separate them.

Mr Phillips: My colleague said you'd need a crowbar to separate them.

Anyway, we're having a little bit of fun here, but that trip said several things. One is that Canada and Ontario are anxious to do business in that part of the world, and we very much support that. There is no doubt that those economies are going to grow far faster than the North American economy. We have a unique entry into there.

I might say as another aside, because I want to make this point, that one of the advantages of having foreign students here at our universities is that we often establish some strong, long-term beneficial relationships. I know, in talking with several of the people at the U of T, that some of the U of T students who have come from other countries, who may still be living here or have gone back to their own country, are enormously successful business people, and we are doing business in Canada directly as a result of those foreign students having come here and been educated here. So I don't think we can forget some of the side economic benefits of some other sound—I hope sound—educational programs.

In any event, that trip was successful. Also, there was a message from the Canadian people, at least from the people I talked to, and that is that they appreciated the cooperation of the levels of government. I think that there was a certain message that we are a country and that if we are going to survive for the future, we all have to work together, that there is a limit to how much we can compete with various levels of government. That clearly is the message between the provinces and the federal government. I think it's probably also a message between other levels of government, that we cannot afford duplication and we cannot afford one government going one way and another government going another way and scarce resources being dissipated as a result of that. I think that was, as I say, one of the messages I got back from that trip.

I've talked about all of the problems, our fiscal problems and our economic problems. The silver lining in all of this is that there's not much doubt that the economy is performing fairly well right now; 4.5% real growth is very good. It, by the way, is not translated into job growth, which I would have thought. I would have thought that we would have seen more job growth occurring as a result of that.

I also had hoped that the revenues would be coming in a little faster than they are; maybe they are. Maybe the Minister of Finance is waiting to surprise us when what we call the quarterly report is out. The quarterly report will be out for the first nine months, which ends at the end of December, probably at the end of January. I hope that will reflect a much stronger growth in revenues.

I was pleased to see that the province got, I guess, \$250 million from the federal government for fiscal stabilization.

Interjection: It was \$187 million.

Mr Phillips: It was \$187 million; that will be very useful.

Mr Klopp: I remember you got \$1 billion, and you still couldn't put it against the debt.

The Acting Speaker (Ms Margaret H. Harrington): Order.

Mr Phillips: There they go again. I'm sorry to upset you by quoting your own figures.

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): You can't upset us, Gerry. We're not upset.

Mr Phillips: Marilyn Churley, the Minister of Consumer and Commercial Relations, she doesn't get upset, but others do. I'm sorry to point out that, contrary to what you would like to believe, the numbers you put out say that job growth in Ontario in 1994 is lower than it was in 1993, that social assistance caseload—

Hon Ms Churley: We're not the only ones saying that.

Mr Phillips: The Minister of Consumer and Commercial Relations says no one is saying that. Actually, you know who's saying that? You're saying that.

Hon Ms Churley: Others are saying the same thing, Gerry.

Mr Phillips: We'll be voting, I gather, later tonight on supply. The government will get the money required to pay the bills. It will add, according to the Provincial Auditor, to that \$10.9 billion deficit and end up at that level. It will mean that we will have, as I say, our fourth straight year of spending 25% more money than we're bringing in, of raising our accumulated deficit to \$90 billion and of creating a very large economic and fiscal hole for us to climb out of.

I happen to think we're beginning to climb out of it. That's the good part of it. I happen to think that the economy is getting better. I happen to think that we should see some revenue growth. The problem is, when you've got that sort of debt deficit hole to get out of, when you've got those kinds of numbers of people on social assistance to help, when you've got that number of people unemployed—100,000 fewer than 1989; that's unmistakable, those are your own numbers—we have a long way to go. None the less, later tonight the government will get approval to pay its bills, and that's perhaps the one piece of good news for some people out there.

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The Acting Speaker: Are there questions or comments to the member for Scarborough-Agincourt?

Mr Allan K. McLean (Simcoe East): I was pleased to listen to the comments from the member for Scarborough-Agincourt because I can tell you that he's been in the portfolio for long enough that he gets to know pretty much about the budgetary policies of this government.

When we look at the 30% reduction that the government's talking about with regard to its debt, when you reduce the debt from about \$13 billion by 30% and still have about a \$10-billion debt, it doesn't really make much sense to me to continue in that avenue of financial responsibilities. The day is coming when governments are going to have to realize that you can't spend more than

you're making.

It's good to see the Solicitor General in the House tonight, because I just wanted to say that the budgetary policies with regard to correctional institutions, when you close down 51 facilities in the province, the public review board indicating that the lowest-cost-operating one was the best in the province, and close down the cheapest one to run and keep the dearest ones open, it certainly doesn't make much sense to me.

The member for Scarborough-Agincourt talked about the budgetary policies of this government, and that's just a bit of an example of what he has been talking about here tonight, about how the government could better manage the affairs of this province. I think when he looks at some of the debate that we have had today with regard to some of the private member's bills, with regard to the cost that will be attached through the one with regard to the Endangered, Threatened and Vulnerable Species Act, the costs that could be attached to that, that's all part of the budgetary policy, because we talked about what the cost of that is.

The budgetary policies of the government, as the member for Scarborough-Agincourt says, are way out of whack. When you've still got a \$10-billion deficit every year, I think we're going the wrong way.

The Acting Speaker: Further questions or comments.

Mr Sutherland: There are many issues the member for Scarborough-Agincourt raised, but I want to deal with a couple of them.

First of all, on his comments about trade, the numbers he's using—he's only referring to international trade, may I say—he's forgetting to take into account that we have a \$21-billion surplus in interprovincial trade in this country.

I also want to remind him, as the minister did in response to a question from his leader, that one of the reasons we have higher inputs, of course, is because of the investments that are being made in business machinery and those things, a lot of which do come from out of the province, and of course the highest trade deficit we've had for the last 10 years was in fact during 1987, 1988 and 1989. Gee, who was in government then?

I also want to say I think the member's comments about the China trade trip are very good. What they also go to prove is this: that the government's decision to close down the foreign trade offices and try new, innovative approaches for developing international trade have been working very, very effectively. It shows the lack of thinking in the Liberal policy. They say they want to re-open those trade offices.

Let me just say about the fiscal policy, he talks about where they had a balanced budget. If they used the new accounting methods, \$3 billion, \$5 billion, throughout that, and if this government had the revenues rolling in of 8% increases, 10% increases, rather than three straight years of decline—at least I think we should have expected there would have been some money set aside as we went into this past recession so that we wouldn't have had to get into larger deficits.

The Liberal Party did not have to make tough deci-

sions, and as a result they deferred dealing with the realities. This government has dealt with the realities.

The Acting Speaker: Further questions or comments.

Mr Bradley: I wish they'd put the member for Oxford in the cabinet so that he wouldn't have to make all these interventions all the time. His job is to defend the government position no matter what. There are some other members who are a little more independent. When you're in the cabinet, you have to do it; I admit that. But there are some other members who know how to do it in a little more independent fashion than simply the government line that they give you all the time. That really is demeaning to bright, articulate individuals, just to give the government line.

However, having said that, I want to commend the member for Scarborough-Agincourt for his very detailed knowledge of the financial affairs of the province of Ontario and his description of the trip to Asia by the Premier. I too was pleased to see the Premier there, because it showed that he can work with the federal government—at least when there's credit to be gotten, he'll be there large as life to be side by side.

I'm a hockey fan. People will say there has been no hockey played in the last while. One of the people with the sharpest elbows I've ever seen when there's a camera within 20 feet is none other than my good friend the member for York South. He can elbow anybody aside and get into that photograph when there's credit to be gotten.

What will be interesting to see is whether, when it's really tough out there and there are some tough decisions to be made, the Premier will stand side by side with the Prime Minister on that occasion. That's the real test of leadership. It's easy to be there when there's credit to be gotten, when there's good news to be given out, but I'll be watching carefully to see if our Premier is side by side with the Prime Minister when the tough decisions are there to be made.

The Acting Speaker: One more question or comment.

Hon Mr Allen: I certainly will agree with the last speaker to the extent that the member who last spoke in fact does have a great deal of knowledge of the matters which he was talking about. The problem was that he was fishing rather selectively in different ponds and pulling out fish here and there that didn't always make much of a catch when you put them all together. For example, he told us that the last few years have been difficult years. We all knew that. He went over and over again telling us how bad it was. We knew that the economy was in bad shape.

The issue, of course, that he raised around housing was an example. He said there were very few housing starts through the last years which we've been in government. But did he ask what in fact this government had done and report on what we had done with respect to housing as an initiative in terms of developing housing for this province? There was one point in the recession when 85% of the starts in this country were in fact happening right in this province and there was almost nothing happening in the rest of the country, but the reason that there was

anything happening in Ontario was because the provincial government had launched a major program, the largest in Canadian history, to create affordable housing for this province.

We have currently 41,000 completed units of housing, constructed in a mere four years and a few months. We have 7,000 more housing units in construction. By the time we leave government, we will have created close to 60,000 units of housing, and 55,000 of them will have been in construction. There is simply no record in Canadian history to match that in terms of housing starts promoted for affordable housing for the people of Ontario during the last four years.

The Acting Speaker: Now the member for Scarborough-Agincourt has two minutes to respond.

Mr Phillips: There's so much to respond to. The last minister who spoke was the minister of international trade, as I recall it, and it was under his tutelage that our international trade dropped. Our trade with the United States now is 90% of our exports; 10% of our exports go to the rest of the world. The member was just talking about Asia. Our trade with Asia in 1990 was \$3 billion; in 1993 it was \$2.8 billion. So the great effort to expand our trade with Asia wasn't working. It was dropping. It went from \$3 billion to \$2.8 billion. Mind you, our imports from Asia went up dramatically, but our exports dropped with the great NDP trade effort.

2150

I understand on the housing starts that the government has spent a lot of money on that. As a matter of fact, if I'm not mistaken, the annual cost now is about \$1 billion. It's up about \$300 million in the last few years. I think the billion dollars goes on for a long while, but what's happened is that in 1989, we had 93,000 housing starts—again, I'm quoting from your figures—1989, just when you were coming in, 93,000 housing starts; in 1990-93, down to 45,000, half of them; and in 1994, 48,000.

Hon Mr Allen: Factor in what is happening in the private sector.

Mr Phillips: The member is saying, "Well, it's because the private sector isn't building them." Of course it's because the private sector isn't building them. Of course that's why it's not happening, but isn't that what you're supposed to be all about? Of course, it's fallen out. But of course it's fallen out because we have in the province of Ontario an economy that has failed in the past five years. There's no doubt about that. Luckily, we're beginning to see some growth, but as I said earlier, any objective analysis would give the Ontario economy an F for the last five years.

The Acting Speaker: Further debate on the Supply Act.

Mrs Marland: As I rise to speak to the Supply Act, 1994, which is An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending March 31, 1995, I wish to just respond at the outset to some comments that were made earlier this evening by the member for Oxford.

He said, "Facts speak for themselves." That is a very accurate statement. I find it interesting that it was used as

a rebuttal to something that was said earlier by a member of the official opposition, because the truth is, facts do speak for themselves. In this province, I don't think anything speaks louder about the current Bob Rae socialist government than the fact that they're 14% in the polls.

I think that tells this government what the people of Ontario think about it, its management of this province and its expenditures which lead to the need to pass this act tonight to pay certain bills.

One of the facts that I find particularly interesting is as recently as this week, we have learned that some of the traditional supporters of this government, namely the Canadian Auto Workers and CUPE, which is headed by Sid Ryan, have announced again that they will not be working to support these government members in the next election.

In fact, when the Treasurer was giving his economic outlook report in the House last week, Mr Ryan was sitting up in the front of the public gallery with some other members, I can only assume, of CUPE, and not Mr Ryan but some of the members had to be forcibly removed from the public gallery because they were calling down to their government, the New Democratic Party government—the first time in the history of Ontario that the New Democratic Party has formed a government, and these unions that have always traditionally been the support for this particular party are continuing to be disenchanted. They certainly were very disenchanted at the time of the passage of the social contract bill. In fact, one thing that they have announced this week is that they will work for those members of this Legislature who voted against the social contract legislation.

The Acting Speaker: Could you relate this to Bill 204, please?

Mrs Marland: You wish me to identify the bill?

The Acting Speaker: The supply bill.

Hon Ms Churley: You have to speak to the bill, Margaret.

Mrs Marland: My comments are definitely on track because we are discussing the expenditures of the government, and whether we're talking about social contract—a decision that I understand was made because the government didn't have enough money to pay their workers. At the time that the government made that decision that they didn't have enough money to pay their workers and passed the social contract legislation, they made that decision because they were trying to find somewhere to get money from. It was very interesting—

Hon Mr Owens: That's right, Margaret. Are you picking your hospital in Mississauga you are going to close?

The Acting Speaker: Order.

Mrs Marland: It was very interesting that all of these unions with their traditional support of the New Democratic Party suddenly detached themselves totally from that support.

Hon Mr Allen: You guys would probably provoke a general strike.

Mrs Marland: The fact that I'm having the interjections that I am now, I would assume is because the members of the New Democratic Party who are sitting in the House at this time do not like to be reminded that unless they voted against the social contract, the union members are not going to be working for them.

Hon Mr Huget: No, actually, Margaret, we're nauseated by your arrogance.

The Acting Speaker: Order. The member legitimately has the floor and is entitled to make her remarks.

Mrs Marland: Thank you, Madam Speaker. Another fact that this government should be contemplating is that there are 100,000 fewer people working now in this province than five years ago. If this government isn't concerned about that fact or wants to question that fact, then obviously they have not done their homework.

One of the indications of this government's mismanagement of the business of this province tragically was confirmed for us yesterday with a tremendous tragedy that took place in Hamilton. The reason that these tragedies are important for us to look at is because every time there is a tragedy, we must work to ensure that that never happens again.

On December 2 of last year, 1993, which is coincidentally almost a year ago—we're standing in this House today on December 7—we had a demonstration outside Queen's Park of people and families with family members who had developmental disabilities. I also on that date placed a resolution before the House in private members' business. That resolution was passed in this House by 51 votes to 4. Needless to say, the four people who voted against that resolution were members of the government.

2200

Subsequent to that motion being passed on December 2, I wrote to the Minister of Community and Social Services. I wrote to him on December 22 and I reminded him of the content of the resolution which this House had seen fit to support and pass. In my private member's resolution, I was calling for immediate reform of the provincial government's financial support to adults with developmental disabilities, and that unfortunately was the scenario of the tragedy yesterday in Hamilton.

Two of the options that I gave the government in my resolution were, firstly, to have the reform of the system that would result in directly allocating financial support to adults with developmental disabilities and their families or guardians, thereby allowing them to choose the support services that they most require.

The reason that was an important part of my resolution is that no one knows better than the families what the support services are that they require. Certainly nobody knew better than the mother in Hamilton yesterday what support services she was seeking on behalf of her family member.

The second part of my motion a year ago dealt with the redirecting of funds from other areas where cost reductions could be achieved, for instance, by reducing fraud, mismanagement and misallocation of funds in social assistance programs, welfare fraud, health card

fraud, and with the savings from the recovery of those funds we would have more money to support adults with developmental disabilities.

What is totally shocking is that I wrote to the minister, as I said, on December 22, following the passage of my resolution in this House dealing with people with developmental disabilities; it took the Minister of Community and Social Services six months to reply to my letter—six months, in spite of the fact that this Legislature had passed a resolution asking for those changes, supporting the changes that I was suggesting in my resolution.

These galleries, the public galleries and the members' galleries, were filled to capacity that day by families and their family members, some of whom in here who did have developmental disabilities, who were under great difficulty, as you well know and I well know, to say in a demonstrative way, "Please help us." It took six months for this Minister of Community and Social Services to reply to a letter following up on that resolution.

In his letter, dated June 10, 1994, he says, "The ministry currently invests a significant amount of public funds in developmental services." I don't have any debate with that. It's true, but when we have the kind of stress and crisis that families live in every single day in this province because they have developmentally disabled children and adults for whom they are trying to cope and for whom they are trying to care and have some kind of comfortable living environment, because there is not enough money spent on them.

Further on in the letter, the minister says: "You have commented that families are facing crisis situations now. I am aware that existing services are stretched and that the increased funding this year will not meet the needs of all people who are currently waiting for the service."

The final paragraph says, "The government also cannot be assured of new resources for developmental services in the future."

If we do not care and make sure that help is available for the most vulnerable people in our society, I have to wonder where our priorities are. I certainly know where the priorities are for our Ontario PC Party, and I will address that in a few moments, because we have committed it to writing in the Common Sense Revolution.

But the priorities of this government are to allow waste and overexpenditures in any number of areas. I'm not going to take the time tonight to table examples of that, because previous members speaking already, including my leader today, as a matter of fact, in question period, gave examples of where this government has wasted millions of dollars.

The Minister of Housing is sitting in the House tonight, and he too well knows where in non-profit housing programs this government has wasted millions of dollars. He too knows that the Provincial Auditor identified in his 1993 report \$200 million in the non-profit housing program that simply was not accounted for: \$200 million. Can you imagine how far \$200 million would go to help families who live every day with a developmentally disabled child or adult? These families, most of them, have never asked the government for a dollar.

For a lot of them now, the parents are aging. In fact, in Mississauga alone we have some 80 parents who are over the age of 65—65 years of age and they are still caring at home for a loved one who is developmentally disabled. We're talking about a parent of 65-plus lifting a developmentally disabled adult who can't walk, can't speak, wears diapers, can't feed themselves. I don't think, unless anyone has had that experience, they can begin to ever understand how much devotion that kind of caregiving requires, how much physical energy and how draining it is to a family, especially where the parents are aging.

In fact, in Mississauga we have 18 or 20 families, I think it is, where the parents are 80 years and over, yet we have a government that pretends it doesn't have money for these families. We have a Minister of Community and Social Services who says, "I am aware that existing services are stretched, that the increased funding this year will not meet the needs of all people who are currently waiting for the service." We certainly know one family for whom that answer had grave consequences.

2210

And it isn't that this government doesn't have any money. They have billions in revenue. The problem is that they don't know how to spend it, they don't know how to prioritize.

I'm sorry the Minister of Housing finds these comments humorous, because I am talking about the human face of tragedy. If the members of this House do not understand what the human face of tragedy means, I feel very sorry for them. When this party was in the opposition, I remember—any one of us who was in this House when the New Democratic Party was in opposition remembers very well—how they would stand in their place and pretend to be the only people who cared about people with disabilities, frailties and other difficulties in their lives. They would drag these people in to demonstrate what their concerns were to the then Liberal government; I was here for only six weeks when we were the government. But I only saw the New Democratic Party do that kind of pleading on behalf of these people.

How interesting it is that now when I stand in my place and plead on behalf of these people with special needs, the Minister of Housing laughs. Frankly, if this government thinks it can ever get away with ignoring people with special needs, it is going to find out how wrong it is.

When the minister says, after waiting six months to answer my letter, that "The government also cannot be assured of any new resources for developmental services in the future," can you imagine what that statement does to these families, these families that have been on waiting lists for so many years? In fact, Community Living Mississauga has closed its waiting lists. They decided there was no point in having waiting lists because some of the people had been on the waiting lists anywhere from five to 10 years.

The fact that this government says it knows there is a problem but it just doesn't have enough money is not good enough. They do have the money; they just don't know where to start spending it. In fact, they have so

much money that they spend more than they need to spend. That's why our party has taken the position about how much money we can cut out of government. We know how much wastage and abuse of government funds goes on by this government. We also know that people with disabilities and our elderly senior citizens should never be made to grovel.

This is a pot that is boiling over and we have tragedies, and then this government says: "Be careful what you say. You mustn't politicize it." I was saying it a year ago, and I have a perfect right to stand in this House tonight and remind members that my resolution that was passed a year ago was asking for money for these developmentally disabled adults and children, and they came to this place to try to put the human face on the people who needed that money.

It isn't as though there are thousands and thousands of these families in this province. It wouldn't take a great deal of money, so why wouldn't the government make that a priority of expenditure? What kind of society will we ever become if we have a government that doesn't first look after its frail elderly and disabled and special-needs children and adults? What kind of society, what kind of government, cannot prioritize that that would be the first expenditure at the top of the list?

I wouldn't care if we never built another road, a bridge, community centre, whatever, if we were to prioritize looking after these people first. But this is not a priority of this government. I can simply say, "Shame on them," because I have no more words left to fight this battle with this government on behalf of families with adults and children with disabilities.

Particularly, my motion was dealing with families and children with developmental disabilities, and I would have preferred that the anniversary of my motion in this House had been marked differently than how it was marked yesterday.

I suppose there will be no hope for there being a remedy to this situation until this government is out of office and we have finally a government that will be absolutely forthright and say, "We cannot do everything for everybody, we cannot be everything to everybody, but we will know how to prioritize and we will have a civil, caring, supportive society in this province because we will first of all support those people who cannot help themselves." It's a very basic, elementary formula.

In continuing to talk about where this government spends money, I need to talk about the Ontario Human Rights Commission. Anyone who has followed it for the last number of years is very aware that there has been and, as I understand, continues to be chaos over there. We have removed chief commissioners and appointed new ones, and each new chief commissioner announces a new system of eliminating backlog and that all the cases will be cleared off within X number of months. There's not any point in putting the detail on the record because again it's all been on the record. We've had ministers come in this House and say, "We have a new chief commissioner and the Ontario Human Rights Commission will now be functioning well and we will get rid of the backlog."

The irony is, of course, that there probably isn't a more important government-funded agency to every single individual in this province than the one which is there to protect our basic human rights, and our basic human rights in this province are outlined in the Ontario Human Rights Code.

The Ontario Human Rights Code defines very clearly that we cannot be discriminated against for a number of things. Listed in that list of items for which we cannot be discriminated against is a disability.

2220

I have a constituent who was fired from his job six years ago because he has a learning disability. His case has been before the Ontario Human Rights Commission for six years. This is only a part of this gentleman's file. There are letters here that I could read from all the different chief commissioners and various staff who tell me, yes, they're concerned that—I won't mention this man's name—this man's case has still not been dealt with, but they have a new system coming in.

One letter goes back in fact to October 21, 1988. "This is what we're going to do to get on with this case." The truth of the matter is, of course, that the case has still not been resolved because we have a situation where there have not been resources given to the Ontario Human Rights Commission by the government in order for them to fund the necessary employment of staff to eliminate the backlog.

I had a meeting this summer with the director of legal services branch for the Ontario Human Rights Commission, Mr Carl Dombeck. Mr Dombeck, in July of this year, had only been in that job I think for some six months. He told me very candidly that he was appalled by the situation that he found in the Ontario Human Rights Commission in terms of their case management. He told me that the staff person who had been looking after my constituent's case was "overworked and overwhelmed," and there again, in fairness to that staff person, I will not mention his name.

But this new director, who's newly appointed on the job, and obviously the job is cleanup, tells me that when he went in this staff person's office, he couldn't believe what he saw. This was one staff person who had, I think, in excess of 200 cases in his room at that time; at least 180, and I think he said 200 cases. He said he had files on the floor like this, piled up all around his office.

In those files was a man who has a learning disability who was discriminated against by his employer, lost his job because of it, although when his employer hired him he told the employer about his learning disability, and the employer turned around within less than a year and fired him. This man has three young children and a wife. He has a family to support.

For six years his case, his right to justice under the Ontario Human Rights Code, has been denied, and it has been denied because we have had two governments, albeit in the six years, who have not seen it as a priority to fund the Ontario Human Rights Commission to do their job properly.

Mr Dombeck told me that even the database was

incorrect. He told me that this staff person whose office was piled up with all these files was the only reconsideration officer they had had for more than a year, and I correct my previous note: He had 300 cases in his office—300 cases.

Now let me tell you what the solution has been. The solution was that they were going to hire six students in law and that each would take 20 reconsideration cases. So that meant we would have 120 cases processed, hopefully, this past summer. I suppose that sounds like a solution, but the very saddest part of this whole story is the fact that through my investigation of what has been going on at the Human Rights Commission, I have uncovered the fact that the case investigators who are assigned to your case when you make a claim with the Ontario Human Rights Commission have not been trained in learning disabilities. Mr Dombeck told me in fact that he hadn't seen a learning disabled file. I was also told that no one has formal training for learning disabilities, but now some of the basic training that the commission is giving their investigators will include some special training for learning disabilities.

But you see, Madam Speaker, where this ends is it's all too late. It's too late for my constituent with his three children and his wife at home. It has been six years that this constituent has been waiting for his rights to be confirmed in a province as wealthy as Ontario—six years. So now we're in 1994 and his case is going to be reviewed, perhaps by a law student and perhaps by another lawyer on the staff, none of whom has any training in learning disabilities. What they will do is open my constituent's file and they will read through the inches of pages and reports that have been compiled by an investigator six years ago who also wasn't trained in learning disabilities.

My constituent has spent over \$8,000 in legal fees so far and he said he had no more money to spend on a lawyer in order to plead his case with the Ontario Human Rights Commission. He asked me if I would help him. I told him that, obviously, I am not a lawyer, but I said, "I will do whatever I can for you. I will fight for you," because the fact that you have a category of discrimination for which the Ontario Human Rights Commission has never seen fit to train its investigators is not his fault.

It's the fault of the commission and ultimately it's the fault of the government which would allow an Ontario Human Rights Commission to have, first of all, so few resources that 300 cases are piled in one person's office, while every one of those cases in those files in that person's office represents a human being. In the case of my constituent, they represent him and his wife and his three children. So I said to this constituent, "Yes, I will fight for you. I will do whatever I can legally do for you with the Ontario Human Rights Commission."

2230

Because we have a Members' Conflict of Interest Act, before I would step into that area, I sought the advice of His Honour Justice Gregory Evans, who is our Conflict of Interest Commissioner in Ontario. I asked him if it was legally permissible under the act for me to act on behalf of my constituent before the Ontario Human Rights

Commission, and I have a letter wherein Justice Gregory Evans says:

"Pursuant to section 5 of the Members' Conflict of Interest Act, 1988, it is my opinion that with the authorization of your constituent, you are entitled to attend the meeting scheduled with OHRC staff members and represent your constituent not only in the meeting, but in any hearing which may be held." Emphasis added: "in any hearing which may be held." It's done in bold font.

The emphasis is that under the conflict-of-interest act, I am permitted to represent my constituent before the Ontario Human Rights Commission, so I make that request to the commission because of the chaotic situation in the Human Rights Commission identified in July of this year by the director of legal services. Also, of course, it was a commission that was reviewed by the government agencies committee, and during that review by the government agencies committee, it became very clear that everybody acknowledged there was a huge backlog and it was a problem.

I then made the request to appear before the commission on behalf of my constituent, because I personally wanted to point out to the commission—not in a letter, I wanted to be able to represent my constituent personally—I wanted to be able to point out to them the injustice that has been done to my constituent by the delay itself; never mind whether his claim against his former employer about wrongful dismissal because of his learning disability stood, but the absolute breach of his human rights that after six years his case was still not resolved.

So I wrote and said that I would appear on his behalf at the next hearing before the Ontario Human Rights Commission, and last week, sadly, I got a reply from the Human Rights Commission. They say in their letter, and it's over the signature of the chief commissioner, Rosemary Brown:

"I would like to advise you that at a meeting of all the commissioners"—all of the commissioners I think only meet three times a year. I don't want to misrepresent the number of times that they meet. I'm sorry, the full commission meets once every six weeks, perhaps nine times a year—"at a meeting of all the commissioners held on November 16, 1994, your request to attend before the commission to make oral submissions on behalf of"—and I'm omitting the name of the constituent—"was considered.

"After giving your request much thought, the commissioners unanimously agreed to deny your request as there were no extraordinary reasons to alter the commission's practice of not allowing oral submissions."

Not to allow oral submissions when you are dealing with someone's rights under the Human Rights Code is something that is impossible to believe exists. It's impossible to believe that a citizen of this province cannot go before the Ontario Human Rights Commission and plead their case or, as in this case, have someone else do that for them, which I was willing to do.

The reason that they go on to give is even worse. They say, "The practice of not allowing one party to make oral

submissions is based on a principle of natural justice and procedural fairness." "Natural justice"? What natural justice is there when this constituent has waited six years to have his case heard? What procedural fairness can there possibly be when he can no longer afford a lawyer and has asked someone else, in this case me, to represent him?

The letter goes on to say, "The commissioners were of the view that to allow a complainant's representative to appear before the commissioners and not offer the respondent the same opportunity would be a breach of natural justice. I am sure that you understand the commission's position on this issue.

"Yours truly

"Rosemary Brown."

I do not understand the commission's position on this issue, and I could perhaps understand this decision if it came from any other government agency, board or commission than that one which protects our basic human rights.

There's no problem in having the other side appear. I would have no difficulty. Obviously, the respondent to this claim would have to have the same opportunity, and I would invite that because, for once and for all, after six years, wouldn't it be great to hear what this employer had to say? Wouldn't it be great to finally know what kind of an employer this person is who would hire a person knowing that they have a learning disability, because that person told them they had a learning disability at the time of their hiring, and then turned around and fired them within less than a year because of the learning disability? It would be quite revealing to hear what the respondent, namely the employer, would have to say in a case like that.

So here we have this government-funded agency to protect the rights of the people of this province who talk about the principle of natural justice and do not know the meaning of the words. The meaning of "natural justice" would be to permit this man's case, after six years, to go forward to a hearing at which people may make oral presentations. Because unless I am there or someone else who now knows this case is there, the commission will not be told that the case was investigated by people who were not trained about learning disabilities, and yet the whole case is about a learning disability.

2240

When we look at government funding and expenditures, as we are with this supply bill, I can't begin to tell you how personally very upset I am on this one particular issue, because if we cannot defend a person's individual right to natural justice before the Ontario Human Rights Commission by permitting parties to both sides of the argument to make an oral submission, we are then saying, "What you have to say can always be committed to paper." But you see, the irony deepens. Because of the learning disability of this particular constituent of mine, something on paper isn't comprehensible, and that is the crux of the question.

The fact is that with a learning disability such as dyslexia, something that is written is not something that

that individual can necessarily understand or communicate, and that person should be permitted to make an oral presentation before the commission. That has been denied, even though His Honour Justice Gregory Evans told me in the letter that not only could I go but that I had a right to attend any hearing which may be held.

What I need to know is how this government can continue to fund the Ontario Human Rights Commission while it denies the rights of people with learning disabilities. There are 20 files existing at the moment at the Ontario Human Rights Commission that involve learning disabilities, and yet they have now admitted that none of their investigators were trained in learning disabilities. Those investigators are the people who go out and interview both parties and complete a file. My constituent has been interviewed once; six years and he's only been interviewed once, and he was interviewed by somebody who didn't know anything about his learning disability. His whole future—he isn't an elderly person, he's a young father—his reputation, his ability to earn money and support his family depends on this right being wronged, because when he goes to apply for a job, naturally they can see very easily that he was fired from the previous job in less than a year.

You know, if you're discriminated against in this province because of the colour of your skin or a physical disability that is very apparent it would be much easier to understand the discrimination, but when you're talking about something that is inside the head as a learning disability—I can't tell, Mr Speaker, whether you have a learning disability and you can't tell whether I do by looking at each other, nor can an investigator who isn't trained.

I simply say tonight as we pass the supply bill to pay for the funding of all of the expenditures of this government, which include the operation of the Ontario Human Rights Commission, I beg this government to make a priority of finding out what it is they're paying for and what it is they are funding.

I probably know the answer because their priority for people with disabilities is demonstrated by the fact that the minister responsible for disabilities has four or five areas under her one hat brim. How can you do justice giving four or five areas of responsibility to one minister and then she isn't even an online ministry; she doesn't have her own budgets? You ask this minister responsible for disabilities or citizenship or seniors or racism—and I've forgotten what her other hat is. You ask her a question—and I've done it in this House; I've asked her. I've asked her about people with developmental disabilities, and you know what she does? She refers the question to the Minister of Community and Social Services. You know what that tells me? It tells me that that whole business of having a minister with these five hats is an absolute farce. I could go to the Minister of Community and Social Services first—

Mr White: So why didn't you?

Mrs Marland: —but because there's a minister who is designated as the minister responsible for disabilities—and I realize this is too tough for the member for Durham Centre to understand, if he asks me why would I not go

first to the Minister of Community and Social Services. If he doesn't understand that, then it confirms my worst belief, which is, there is a reason why we're in such deep trouble in this province today.

I cannot talk any longer on that particular case because for me it has now become an emotional issue because I know what it means to the family and that individual. But please don't play around with the people of this province. Don't pretend as a government that you care. Don't pretend that you have a minister responsible for disabilities when you don't have in terms of actions, and when you have a Minister of Community and Social Services who says: "Yes, that's right. We don't have enough money for people with developmental disabilities. That's true, and we won't have any more money in the future." Don't tell people that. You do have money. You just don't know how to spend it.

I wanted to just touch on two other subjects where this government confirms that they do not know how to spend their money, and that is the issue about the out-of-province OHIP coverage. A lot has been said in this House; in fact, I have contributed to that debate previously as well. There has to be something wrong when our seniors have to go to court—and the costs that includes—to fight for something that is already a given right of theirs.

A given right of every person in this province is that if they travel, their health coverage goes with them. The fact that the only people who are pursuing the legality of this government's position on not allowing OHIP coverage to pay for out-of-province health expenses, the only people who are pursuing the issue are the Canadian Snowbird Association.

I've said before, people think the Canadian snowbirds, who are our seniors, are wealthy people, they're rich people. Of course, we know what this government thinks about people who may have saved for their old age in their retirement years, and their condemnation of these people is shown by the fact that they're saying, "Even if you have to go to a warmer climate because of your health, and even if you stayed home and you cost us more on our health care system because when you're home in the kind of climate that we have in our winters you get sick and you may need hospitalization, you may need doctors' treatments and drugs, even though all of that may be a fact, as soon as you leave the border of this province, sorry, folks, you're out of luck." So now, for many thousands of these seniors who can only just afford to go somewhere else for the winter months, we have a situation where they're faced with trying to find the money to pay for health coverage, or not go at all.

2250

If the New Democratic Party, the Bob Rae socialist government, would do something about getting its health card fraud and some of its other inefficiencies under control, it wouldn't need to attack all Ontarians with illegal acts, and it is illegal not to apply the portability of health insurance in a province. The Canada Health Act, in clause 11(1)(b), says, "the health care insurance plan of a province...must provide for and be administered and operated so as to provide for the payment of amounts for

the cost of insured health services provided to insured persons while temporarily absent from the province."

Imagine. We have a situation in Ontario today where, although under the Canada Health Act everyone is entitled to travel with the security of knowing that the Ontario health insurance plan will pay their medical bills, people in order to be protected have to buy additional insurance, and, worse than that, the only people who are doing anything about it are those seniors themselves who are most directly affected. They are making the legal challenge in court about why the Canada Health Act is not being enforced on this province. I guess too, in fairness, it would have been nice to see the Ontario Liberals go after their federal brothers and get them to enforce the Canada Health Act.

I was going to talk about non-profit housing. I've made some reference to it, and fortunately now people are finally understanding what the racket is that's going on in many of our non-profit housing corporations because the government has not supervised those corporations. The government didn't even have operating agreements with many of them. That story is well known, because all through this spring I raised question after question in this House about yet another non-profit housing corporation for which an audit had revealed in some cases corruption and fraud. But this government continues to say that's the only way to provide housing, and they don't feel it's necessary to supervise those operations closely.

I want to comment on the cuts that the Attorney General's office has made to the countermeasures office operation. Mr John Bates, the president and founder of Mothers Against Drunk Driving, has had meetings during this year with the Attorney General to plead for more resources and to plead for stricter legislation to try to resolve the problem of drivers in this province who choose to drink and drive.

The response of the government has been to cut over a million dollars out of the program that comes under their countermeasures office. Some irony that they cut the funding for the program at the same time they released their own press release, which came out in October, which said that for the first time after a decade of decline, we now have an increase in drivers who drink and drive. We have a 4% increase in drunk driving convictions. We have 30,000 convictions in one year, in 1992, and 59% of those 30,000, approximately 18,000 of the 30,000 convictions, were repeat convictions. They were people who had already been found to be driving drunk, had been taken to a police station, had been put through the breathalyser test and a video in the police station, had then been charged with drunk driving, and had then gone to court and had been found guilty.

Eighteen thousand of them had done that more than once, at a time when police forces around this province, particularly the Ontario Provincial Police, have had their resources cut back and we have fewer OPP officers on the road now and therefore more people are able to drive drunk because the chance of them being caught is reduced by the very fact that because of the cutbacks by the government to municipalities to fund police forces,

we cannot afford to have the number of police officers out there that we need to have.

This week, the top story on CFTO-TV, I think, two nights ago, Monday night, was that drunk driving is on the increase in Metro—because they have now started the RIDE program. Drunk drivers kill. Eighty-one per cent of all road accident fatalities are alcohol-related; 81% of people who are killed on our roads and highways are accidents that are alcohol-related. They're not figures for debate. They are figures that came from the Attorney General's office.

If the Attorney General is saying there is a 4% increase in drunk drivers, how can this government possibly reduce the amount of money that it allocates to the countermeasures office? Oh, yes, they've got their new ads on television and they've got some advertising in the newspapers. But do you possibly think for one moment that a man—and I say a man because 95% of the people who drink and drive are male; they are by far the highest number, the age between 25 and 40—do you think for one moment they could care less about an ad they see on television or in a newspaper? We are talking about many, many examples of where a driver has killed somebody, served a sentence, and within two weeks of being back out on the road is arrested again for drunk driving. There is no way on God's green earth that any advertisement is ever going to stop that person from driving drunk. They don't care. There is no penalty for them except another conviction and maybe another short-term suspension of their licence.

This is not the time to cut back on the resources allocated to measures to enforce our current laws. This is the time to look very seriously at the recommendation in my private member's Bill 195, where I am advocating a lifetime suspension of the driving licence of someone who chooses to drink and then chooses to drive. That bill would not take away the licence of any individual if an individual needs the licence to earn their living. Most of us do need to drive, but some people need to drive more than others: ambulance drivers, taxi drivers, bus drivers, truck drivers, whatever. They cannot work without their driver's licence. They know better than anybody that they must do everything they can to protect the status of their driving licence. They know better than anybody that they can never drink and drive, absolutely never drink and drive.

2300

My bill allows everybody to make one mistake. I'm simply saying that if the Attorney General's own report indicates that the biggest increase in drunk driving is that "chronic drinker," which are the words used in the Attorney General's report, then it's about time we took some responsibility in finding a remedy for that, and if it means that somebody loses their licence for life on a second conviction for drunk driving, then so be it. I don't mind if people drink, but I do mind if they drive after drinking.

We all have to be gravely concerned about the fact that in 1992, 353 people were killed on Ontario's roads, and 81% of them were alcohol-related accidents. So I simply say to this government: Do something about drunk

driving. It's not only the people who are killed; it's also the thousands of people who are left maimed and disabled for life because of an injury sustained by being hit by a drunk driver.

Finally, I just want to make a comment about welfare. One of the areas of concern that I have had is how easy this government has made it for people to be on welfare *per se*. Obviously in a recession time it has been very difficult for a lot of people who lost their jobs, and those are not the people I am addressing.

I am very concerned about the number of students who are on welfare. This government makes it so easy to be on welfare because they removed the necessity for a home visit, a home inspection. You can have your cheque deposited by mail into your bank account. In the case of young people in Ontario, we have an incredible number of students on welfare. In September of this year, we had 33,394 welfare cases of persons 19 years of age or younger. What kind of society are we that we would have to be supporting almost 34,000 people 19 years of age or younger on welfare?

I have talked previously about an example in Mississauga where we have five young women living with a mother in her house where they each get whatever the student allowance for welfare is, and I think it's close to \$700 a month, while the daughter of that mother who has these boarders lives in the house across the street, lives on the same street but in the house opposite. So in this house we have a mother with five boarders, all on welfare, while her own daughter lives with someone across the street, also claiming welfare: a very curious situation.

As a matter of fact, I received a letter last week from someone who lives in Etobicoke, and this person says:

"Dear Mrs Marland,

"Your comments recently on television about a number of young people on welfare living in a house with a women whose daughter lived across the street, also on welfare, attracted my attention and wrath. I am a retired teacher and would like to bring to your attention the scandalous situation of students receiving welfare. I would be pleased to visit your office, at your convenience, to discuss the matter. Your stand in Parliament was refreshing. The matters of welfare and welfare abuse are prime problem areas and must be brought to the attention of the taxpaying public."

This man is not a constituent of mine—as I said, he lives in Etobicoke—but he shares the same concern I have.

I don't think there's one of us in this House who, when we were a teenager up to the age of 19 or 20, at some time or other, if we were still living at home, wouldn't have thought it was wonderful to have the opportunity to get \$600 or \$700 a month and then go with three or four of our friends and set up housekeeping in an apartment. With an income of \$2,400 to \$3,000 a month you could rent an apartment and you could have a lot of fun, you could just have an absolute ball. You wouldn't have to abide by anybody's rules; you wouldn't have to listen to your parents any more. In order for

students to do that, they simply have to say they cannot tolerate living at home any more. Student welfare, as far as I'm concerned, is one of the most shameful systems we have in the province today.

I acknowledge that there are some students for whom living at home in an abusive situation is not acceptable, and I'm not talking about those. I'm talking about those students for whom it's an avenue they've heard about, who know they can get on it and to stay on it, if they are school-age, you know what? They just have to be in school two days a week. They don't have to maintain a certain level of standard of marks; they just have to be checked into school two days a week.

They have a wonderful time, and we are paying for it. But worse than that, even if you set the monetary cost aside, in my opinion the worst thing is that we are teaching these children under 19 years of age that it's okay. We're killing their work ethic. We're saying it's okay to live off the state; you don't have to really go to school every day and you don't have to learn a trade or a profession or have a job, because the state will look after you. Believe you me, if we want to see what killing the work ethic did to a whole generation, we only have to see what happened when the Labour government went into office in Britain after the war.

I want to say one other thing about welfare. It's important for everybody to understand what it is our party is saying in the Common Sense Revolution. We are saying that we will cut the cost of government, but there are two areas I need to emphasize, and one is about seniors and the disabled.

"Another important step in welfare reform will be to move 170,000 of our citizens—seniors and the disabled—out of the 'welfare system' altogether. They should never have been there in the first place.

"We will establish a new and separate income supplement program, specifically for those who are unable to work. Funding for this program will be guaranteed at current levels. Aid for seniors and the disabled will not be cut."

That's in the Common Sense Revolution. What we are saying is that we will not be asking people with disabilities to come grovelling on their hands and knees to government, begging and pleading, as that mother in Hamilton did only a week ago, for extra help. We won't ask people, we will not allow people, to do that. The reason we will not allow it is because, in our opinion, they will always be a priority of government expenditure. And those people should never have been on the welfare system in the first place.

2310

One other area of government expenditure needs to be reinforced in terms of the commitment of a Mike Harris government in Ontario, and that is the area of health care. We hear government members, and for that matter, some Liberal opposition members, stand in this House and try to say what the Common Sense Revolution is saying. Unfortunately, they don't actually get the Common Sense Revolution and read it. So I want to read what we say about health care. Having criticized the fact that this

government does not support our seniors, particularly those who leave the province because of winter weather, under the health care heading:

"We"—a Mike Harris PC Party in Ontario—"will not cut health care spending. It's far too important. And frankly, as we all get older, we are all going to need it more and more. Under this plan, health care spending will be guaranteed."

Can you imagine any party in this province putting in print what its policy will be? In this particular case, with health care spending, we are saying it will be guaranteed.

"As government, we will be aggressive about rooting out waste, abuse, health card fraud, mismanagement and duplication.

"Every dollar we save by cutting overhead or by bringing in the best new management techniques and thinking, will be reinvested in health care to improve services to patients. We call this commonsense approach, 'patient-based budgeting.'"

In closing, I have a little story to tell you about health care funding in this province, and this is on a personal note. This year has been a remarkable year for our family. Prior to this year, we did not have any grandchildren, and we were blessed on February 21 with the birth of Rebecca Jane Marland Bryan; on September 14, we were blessed with another baby granddaughter, Kathryn Elizabeth Marland, in Ottawa; and on October 23, we had yet a third baby granddaughter born, Hilary Ann Marland. These three granddaughters are the children, the baby daughters, of our own children and their spouses. Rebecca's parents are Ruth and Lawrence, Kate's parents are Robert and Jane, and Hilary's parents are Donald and Laurie.

What is really interesting about health care is that Jane was born in the Mississauga Hospital on February 21 and everything was provided for her. In fact, she was six weeks early so she was in a special nursery with an incubator and absolutely wonderful care by the special nursery nurses and medical staff. But when Hilary was born in October, eight months later, in the same hospital, Hilary's parents had to provide for Hilary everything she needed. So in the same hospital in a span of less than eight months, the first baby had everything provided for her in terms of special needs, plus diapers, plus nightgowns, the things she needed while she was in the hospital, but in October for the last granddaughter, Hilary, they even had to provide things like Vaseline, the diapers, the nightgowns—everything.

In the case of that family that wasn't a problem for them to provide it, but I'm simply saying isn't it ironic that what is actually a basic need, I would think, for the care of a newborn baby, a diaper, is now no longer affordable for that hospital to provide, and that change has taken place in the short period of eight months.

I want to reassure the people of this province that probably the next time we debate a supply bill, a bill authorizing the payment of the government's expenditures, perhaps we'll be lucky enough to have a new government sponsoring that supply bill. Naturally, I expect it will be a Mike Harris government with the

Common Sense Revolution, and I know that whatever government it will be, it will be 100% better than this Bob Rae socialist government. If it's a Mike Harris government, we will know how to prioritize in terms of human need first.

The Speaker: I thank the honourable member for Mississauga South for her contribution to the debate and invite any questions and/or comments. Seeing none, is there further debate?

Hon Shelley Wark-Martyn (Minister without Portfolio in Health): I rise this evening to speak in support of my government's efforts at controlling costs in this province. I believe this to be a particularly relevant subject, especially if we examine this government's ability to stick to a plan which stands firmly on three very sound legs: to create jobs, to live within our means and to preserve services.

First, I'd like to respond to the member for Scarborough-Agincourt, who spoke earlier this evening, and used our Ontario Economic Outlook book that was presented by the Minister of Finance a few short days ago. I'd like to take my own quotes from this book, as he did earlier this evening, to tell about the things he forgot to mention.

"Real output in Ontario will grow by 4.5% this year—the strongest growth we've seen since 1988—and by more than 4% during each of the next four years. The Ontario economy will create 570,000 jobs over this period....

"The Ontario economy is now growing at its fastest rate in six years"—the fastest rate in six years. Imagine that, under Bob Rae's leadership.

"Ontario's pace of growth and job creation is among the fastest in Canada"—the fastest in Canada, out of the Ontario Economic Outlook.

"We cut payroll taxes for new employees to create 12,000 permanent jobs and provided new tax incentives for R&D expenditures, while holding the line on other taxes in the 1994 budget;

"Ontario Hydro recently cut electricity rates for big users and held the line for everyone else." At a time of a recession, this happened in Ontario under Bob Rae's leadership.

Hon Mr Christopherson: Whose leadership?

Hon Ms Wark-Martyn: Bob Rae's leadership and an NDP government—Ontario Hydro rates frozen. Of course the Tories haven't caught on to that yet: They're still promising to freeze them. We've already done it.

"We've reduced our own overhead costs by 16% over the past three years." That's 16% over three years. "Spending on programs fell by 3.4% in 1993"—and wait till you hear this—"the first time in more than 50 years that the cost of government programs has fallen." The first time in 50 years, and it's happened under Bob Rae's leadership.

2320

Interjections.

Hon Ms Wark-Martyn: Now let's compare Ontario to the rest of Canada. Real growth in Ontario is

outpacing growth in the rest of Canada under Bob Rae's leadership. Excluding Ontario, the rest of Canada expanded by 3.7% in 1994, compared to 4.5% in Ontario. Growth in the rest of the nation is expected to moderate to 3.4% in 1995, then average 3.8% per year in the medium term. This pace of economic expansion, and I say "expansion," will be less than in Ontario but better than other G-7 countries.

You can read more about this in our Ontario Economic Outlook, and I'm sure the member for Scarborough-Agincourt is glad that I'm reminding him of the things he forgot about in this book.

Let's talk about Ontario's fiscal strategy. The government has responded to some very unprecedented fiscal and economic challenges, such as federal economic and fiscal challenges, falling revenues during the time of a recession, limits on federal transfer dollars to health care and post-secondary education, changes to unemployment federally, which have led more people to provincially funded social assistance programs. Where are those people to go when the federal government leaves them in the lurch? Under Bob Rae's leadership, we won't leave them out there. We will continue to protect services.

Through these measures that we've done and others, such as the expenditure control plan and the social contract, as difficult as it was, spending has been brought under control in Ontario. Program spending has declined by 3.4% in 1993-94 and will fall again in 1994-95.

During the 1980s—now think about the 1980s—it was a time of growth. It was a time when you were making money. You spend a little, but you keep a little and you plan. You plan for better health care. You plan for a better infrastructure. Those university students, you plan their tuition. But what did we do in the 1980s under the leadership of the Liberals and the Tories? We spent at a double-digit pace. We were having a good time in the 1980s, weren't we? We spent well above the rate of inflation.

What does the fiscal outlook look like now? Again in the Ontario Economic Outlook that the Treasurer presented:

"As of the second quarter of the fiscal year, the deficit for 1994-95 is projected to be \$8.3 billion, \$206 million lower than forecast in the 1994 budget. This results from stronger revenues generated by the quickening pace of the economic expansion. Spending has been held to the budget plan."

We are doing things right in Ontario under Bob Rae's leadership.

As the associate Minister of Health, I feel it's only fair that I speak about what we've been able to accomplish through effective cost control as administered.

I have seen the impact on the expansion of necessary health services in this province. Before I outline the initiatives of this government, I would like to point out some of the facts regarding our Liberal and Tory predecessors, because we don't want to forget about our history. I'd like to dispel a few misconceptions about the ability of Liberals and Tories to manage the health care system in this province.

Throughout the 1980s, health care spending increased by over—get this, folks—12% per year. These were the years during which the Tories and the Liberals held power in the province of Ontario. Let me be very clear about this: There exists no—and may I repeat the word "no"—evidence that the citizens of this province were any healthier or had better access to health care as a result of that unbridled spending.

During this period as well, indicators became ever more compelling that community-based health prevention initiatives would go much further towards improving the overall health of Ontarians than would our traditional reliance on expensive facilities.

I remember the 1980s, planning with the Women's Health Information Network about community-based services and how we could get those dollars moved from the institutions into our communities, but no, "Let's fund those institutions, those hospitals." In spite of all the efforts, in spite of all the research that had been done during the 1984-85 fiscal year, for instance, under the Tories—I see they've all gone home now—47% of health care spending went to hospitals. Twenty-nine per cent went to physicians' services. And how much went to the community-based services? Only 2%. Two per cent to community-based services, something that we in northern and rural Ontario depend more and more on as we want to be served at home, something that the long-term-care act which was passed today will allow to happen in our communities.

In contrast, let's compare this to the NDP government under Bob Rae's leadership. It has stuck to its plans to live within our means. Our health care spending has remained virtually stable since 1992. Only marginal increases and decreases have occurred since that time, at the same time that we went through the toughest recession here in Ontario. For instance, health spending will decline by just under 1% during the two-year period 1993-95.

What is perhaps more telling is the pattern of the spending that has changed dramatically under our administration. During this same two-year period, spending on community and public health and long-term care will increase by over 12%. In a two-year period, we are going to spend over 12% more in community-based health care. That's an increase of over \$298 million. These sectors account for 16% of health spending, an increase of 6% from a decade ago.

In a process of managing spending on health care services, we have certainly had to make some decisions that have been less than popular. One of those decisions was to systematically reduce our reliance and expenditures on services provided outside Canada.

In a recent article to her local media, the honourable member for Fort William tries to convince the people of northwestern Ontario that the fundamental underpinnings of our health care system are at risk because we have had to reduce what we will pay for hospital stays while in the United States.

I would like to point out to the honourable member that Ontarians are still covered by OHIP when they travel. Doctors' fees, lab fees and prescription medica-

tions, as well as a broad range of other medical services, are still part of that coverage, as are hospital room charges. There has always existed, in the past, as in the future, the need to top up that coverage for out-of-country travel with private insurance coverage.

What the honourable member clearly does not appreciate is the level of savings generated by these measures. Maybe she does appreciate that and maybe she wouldn't put the money to the same programs with the same priorities that we have chosen, but that's where we feel the people of Ontario want those dollars spent. And where do they want those dollars spent? The new rates for out-of-county hospital coverage are expected to generate approximately \$20 million a year in savings on health care. This is in addition to the \$237 million saved through other out-of-country policy changes implemented by the Bob Rae government since 1991-92.

Perhaps what is also not clear to the Liberal opposition is what these savings are being used for, and let me list a few. Let's start with the Ontario drug benefit program. Ontario is the last province Canada to continue to offer free drug benefits to seniors. Perhaps the members opposite would prefer to ask seniors to do without free drug benefits here at home in favour of 100% out-of-country hospital coverage.

Would it be better perhaps to do away with the Ontario Health Network? This is the computer program used by pharmacists dispensing to Ontario drug benefit recipients which alerts the pharmacists of any potentially dangerous drug interactions that may occur. This program represents a \$72.5-million investment by our NDP government in the health of seniors and other Ontario drug benefit users. It is also expected to save this province \$30 million a year through the prevention of abuses.

If the Liberals had reacted responsibly to the problems of diabetics in northern Ontario, we would have had the northern diabetes network program in northern Ontario years and years ago, and we would have also seen an expansion of dialysis service. These two services recently received funding totalling almost \$16 million.

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I can go on to talk about the cancer strategy, the cancer plan and vision that we have for Ontario. There was no plan before we came into office in 1990. There was no cancer strategy. It was: "If you get here and you ask, you'll get some money, but we're not going to plan where we spend it. We're just going to spend it all, and if bad times come, oh well, we'll call an election and somebody else will deal with that."

Perhaps the honourable member for Fort William would like to speak with people in Kenora, Sudbury, North Bay, Sault Ste Marie, Timmins or Thunder Bay to see who is prepared to forego their dialysis treatment in order to finance out-of-country health and hospital coverage.

Clearly, the government of Bob Rae has recognized the obvious need for reducing our reliance on costly institutional services, and for increasing our efforts to improve health in Ontario.

I have sat in this House many times when the leader of

the third party referred to this province as Bob's Ontario. I would like to say here this evening that I'm happy to live in Bob's Ontario. In Bob's Ontario, magnetic resonance imaging, or MRI, services will be equally available to people all across this province, in their own hospitals, rather than being restricted to health science facilities only in major cities.

In Bob's Ontario, people will not have to wait as long as they might have under a Liberal, and almost certainly under a Conservative, government for bone marrow transplants, dialysis and cancer treatment. In Bob's Ontario, seniors will be able to access the community supports they need to remain in the comfort of their own homes, and they'll be able to do that by calling one number, no matter what service they need. In Bob's Ontario, the northern diabetes network is bringing health to northern diabetics, and it's doing so in the north. In the north, we can now access these services.

Does the honourable leader of the third party suggest that an Ontario governed by the Mike Harris party would be a better place? Let's have a look at some of their cousins in Alberta under Ralph Klein. What has that good guy, Ralph Klein, done? In the first year of their mandate in Alberta, the Klein Conservatives have cut funding of health care by 16%, cut 2,700 public sector jobs just since April, cut funding for education by 17%, cut funding for advanced education by 21%, and he's not done yet—1,800 more jobs are slated to disappear. Klein and his government intend to cut spending on education by \$239 million over three years and health care spending by \$734 million. Do we want a Mike Harris revolution in Ontario? No. We don't want a Mike Harris revolution in Ontario.

The impact of these cuts have been devastating to the average citizen of Alberta. Is this the kind of Alberta the honourable member from Nipissing would prefer to see in Ontario, cutting the financial deficit only to create a human deficit? I'll take Bob's Ontario any day. I'll take an Ontario that has a plan to create jobs, a plan that's working.

The Ontario economy will create 570,000 new jobs during the next three years. Over the last nine months alone, 137,000 jobs have been created, most of them full-time jobs, resulting in the lowest unemployment rate in three years in this province.

This accounts for almost half of the jobs created in Canada during 1994, and is the longest and strongest period of job growth in Ontario in six years, thanks to Bob Rae's leadership and the leadership of cabinet ministers and the rest of the caucus of this NDP government.

The Bob Rae government knows that Ontarians need jobs, that jobs create health as well as wealth. A working community means a healthy community. People with jobs feel better about themselves and are better able to look after themselves and their families. They're better able to contribute to the wellbeing of others.

From day one of our mandate, we recognized that the key to effectively managing our health care system was to help people stay healthy to begin with. That's why we have emphasized prevention and education.

But forgive me; I made a mistake earlier when I said the Rae government believes in jobs. No, that's wrong. We don't just believe in jobs; we help to create jobs. Yes, that's right: We create jobs and we're very good at it, jobs in partnerships with others.

We're all familiar by now with the success of our Jobs Ontario program, a program which, I must remind the people of Ontario, the honourable Leader of the Opposition has vowed to scrap. It seems strange to me that she would want to scrap Canada's most successful job creation program. Yes, Jobs Ontario has been the most successful job creation program in Canada, and at every announcement that's made in her riding she's there to pull out the trumpet and say, "Yes, this is a good job creation program happening in our community."

I would like to take a moment to talk about some of the job creation that's been happening in my riding of Port Arthur, and that's Thunder Bay country for those of you who may not know where Port Arthur is. I'm sure that the honourable Leader of the Opposition would be the first to agree that the NDP government, by supporting a number of key industries in Thunder Bay, has been successful at not only sustaining jobs but in creating hundreds of new ones.

Let's look at Bombardier, for example. In 1991, we negotiated a new agreement for UTDC with Bombardier, a deal that revitalized a failing industry, an industry that the Liberal government which the honourable leader of the official opposition was a part of was prepared to abandon—abandon all those workers in Thunder Bay and sell the shares out from under them. This initiative under our leadership created hundreds of new jobs in Thunder Bay, jobs that will be there for years to come. In 1993, Bombardier was able to modernize its Thunder Bay facilities with \$11 million from this government. This has helped Bombardier maintain its competitive edge and secure contracts internationally. I'm pleased to add that Bombardier's Thunder Bay plant this month alone signed contracts worth a total of \$66 million.

Jobs Ontario job creation is working here in Ontario under Bob Rae's leadership. That spells new jobs for those men and women at Bombardier. That spells security in the future for Bombardier workers and their families, and healthier families. It's been estimated that average annual employment at that plant will increase by 200 to 700 by 1995-96, with peak employment periods of 1,100 or more beyond that date.

Some of you may already know about Provincial Papers, also in Thunder Bay, but I think it's a story worth telling again and again. This government provided about \$18 million to help unionized employees buy out Provincial Papers. This avoided closing the mill and preserved more than 600 jobs for men and women in Thunder Bay. I'm glad to say that Provincial Papers posted a profit last year—yes, a profit—because Bob Rae's government, Bob Rae's leadership believed in those workers in that plant in Thunder Bay and stood behind them through very terrible and tough negotiations to make sure that they would be there this year to make that profit.

While on the subject of mills, the honourable Minister of Natural Resources, Howard Hampton, was in Thunder

Bay this August to announce further funding from this government to construct a new specialty hardwood mill for the people in Thunder Bay. This means close to 200 new jobs for the people of Thunder Bay. These are not short-term jobs; this represents an investment in a new industry, a new vision, new planning by this government in Ontario under Bob Rae's leadership.

Let me tell you something: Those trees have been in northern Ontario for a long time, and under no Tory or Liberal government did they ever take the time to plan on the future of the trees in northern Ontario and the rest of this province and what they could do with them. We've done it under Bob Rae's leadership. We've done it under the Minister of Natural Resources, Howard Hampton. This means an investment for the workers in Thunder Bay and an investment for the rest of Ontario.

This government developed a plan when it was elected in 1990 to govern this province. The plan is to create jobs, maintain services and control spending; not to create a human deficit, as the Tories would have you believe; not to control you a puzzle, as the Liberals say: "Elect us. We'll tell you our plan later." They don't have a plan to tell you about.

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Despite a debilitating recession in the last few years, one that the Liberals, and I must say this, knew was coming—they knew that in two years' time, if they called an election, they wouldn't get re-elected. But hey, they were at 55% in the polls: "No sweat. We'll get this one over. We'll have five years to kind of clean up the mess and pull up our socks and then they'll re-elect us for another term." But the people of Ontario knew something smelled a little—

Interjection: Fishy.

Hon Ms Wark-Martyn: —fishy, thank you, when they called that early election and they didn't put them back in. They put Bob Rae in, they put the Bob Rae NDP government in, because we have a plan that's working. It's working in job creation, it's working in preserving services and it's working in spending control. And we're sticking to it. We have a story to tell and in 1995, when Bob Rae calls an election, we will be there to tell our story.

The Speaker: I thank the honourable member for Port Arthur for her contribution to the debate and invite any questions and/or comments. Is there further debate?

Mr Bradley: I thought this bill was going to pass tonight, but it's not going to now.

Ms Murdock: She has waited all day, Jim. How long is it—

Mr Bradley: I'm just telling you the bill is not passing tonight.

Interjections.

Mr Bradley: No, it's not at all. Don't give me that stuff. The bill will not pass tonight.

I want to address some of the issues—

Hon Mr Huget: It will pass tomorrow first thing.

Mr Bradley: You can try that, I suppose, but the bill will not pass tonight on second reading. I recall that

certain discussions took place around this bill and when it would pass. There were certain undertakings that were given, and those undertakings have not been followed, so we'll work on that basis.

Ms Murdock: Put it on the record who did that. It wasn't us.

Mr Bradley: Anyway, I don't know why you get so cantankerous this time of night.

Ms Murdock: You're the one who is cantankerous.

The Speaker: Order.

Mr Bradley: It's easy to play the game that way. We were quite willing to pass this bill tonight on second reading, quite willing to do it.

I'm going to address a few of the issues that I think are important in this bill, the supply bill, which I think is a very significant bill since it deals with about \$46 billion worth of expenditures or more and how the money is allocated by the government.

First of all, I want to indicate that I think a useful expenditure of this money would be an allocation of funding for people who have been the victims of a particular crime and the family of those victims. I have in my own constituency Mr and Mrs French, Donna and Doug French, who have had the misfortune and tragedy of having their daughter murdered. There's a trial that is going to be coming up soon. The judge has announced that there will be a change of venue, which for the families, both the Mahaffy family and the French family, if the venue is a considerable distance, will be a genuine challenge for them.

Financially, these people have already suffered considerably. Emotionally, none of us could really relate to how they have suffered. I have directed questions to both the Treasurer and the Attorney General concerning the possibility of funds being made available to cover some of the expenses, and both the Treasurer and the Attorney General have indicated that an effort would be made to do so in some manner or other. I appreciate that as being something positive for the families that are involved.

They have the cost of the transportation to and from the trial; they have the cost of accommodation, should it be far enough away; they have the cost of meals that would be eaten away from home at a more considerable cost; and they have the cost as well of lost wages and salaries, which can be rather considerable.

Very often, I saw—and I'm not trying to make an extreme right-wing case that gets the blood flowing in many people, but if we contrast that difficulty they would have in obtaining assistance, because of course there are precedents that people worry about, with the crown and the defence lawyer both making a very strong case, to say the least, for the assistance that's available through our legal aid plan, we would find, in that particular case, that they were demanding almost that Mr Bernardo have money available to him for his lawyers. I would hope that the same degree of fervour would be found in those people who are concerned about this case to assist the victims of this crime, in this case the families of Kristen French and Leslie Mahaffy.

There is also before the House—and I recognize the

implications can be rather substantial, and this has been raised many times in the House—a bill which would prevent or at least try to prevent people from making money from the proceeds of crime; for instance, writing books or other ways of exploiting that particular circumstance. An effort is being made at this time. The government is attempting, I understand the Premier said today, to accommodate this circumstance. I would hope that this House would be able to pass a bill which is acceptable to the Attorney General's department and will try to prevent those who have perhaps thought of benefiting from crime from doing so, in a financial way in particular.

I want to deal with a few other issues as well. In my own constituency, although it has province-wide implications, the Royal Canadian Henley Regatta rowing course is in need of some financial assistance from the government of Ontario in order to deal with problems related to silting of the course, which would prevent it from being a course which is acceptable in terms of world standards. The second is the environmental problem with the course, a potential problem in that there are toxic substances which have accumulated in certain spots along the course.

The federal government, the provincial government, the local government and people in the volunteer sector have contributed to the effort to assess the problem to begin with, and we are very hopeful that with the efforts of everyone working together, not counter to one another, we will indeed be able to solve this problem. It will be a tourist boon to St Catharines and to our part of the whole province of Ontario. It would bring the prestige, perhaps, of a world rowing championship once again, and to those of us—I think that's everybody—interested in the environment it would provide an opportunity to cleanse a waterway which can require that kind of cleansing. I hope there is continued progress and continued cooperation in that regard.

Another problem which has been brought to our attention—and I'm not here to point partisan fingers tonight—is an increasing problem with automobile insurance rates and vehicle insurance rates in this province. I have received at my constituency office, as I'm sure many people have, calls from people who have had either perhaps one claim or claims that would not be their own fault and, as a result, they have had a substantial increase in their insurance rates. There are others who express concern about the whole concept of no-fault insurance and believe that is one of the problems that confronts them.

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I was speaking to one of the government members earlier this evening privately in the House, and one of the things we were discussing is that if you look at the American system of government compared to ours, they use their committees in a different way. I thought it would be beneficial to have many people come before a committee to testify as to whether there can be a justification for the increases that are taking place in automobile insurance rates at this time. That doesn't happen as often under our system as it happens under the American system. I think that's valuable from a public-education point of view. I think it's valuable from an

investigative point of view.

I also want to deal with an issue which was raised in the House today by the leader of the official opposition, Mrs McLeod, and that was an issue related to intervenor hours for disabled people. I want to acknowledge that this is a costly operation for government. I've listened to people in the province who would tell me, "If only you would cut in several areas, there would be plenty of money for such beneficial things as intervenors, those who will assist in the household with disabled people." But I think there's a recognition that this is a costly operation, and I believe that it is worthwhile.

I have met with people in those circumstances who have children with multiple disabilities. Those people have a real challenge dealing with those children, who eventually become adults, within their home. When I hear people on the extreme right talk about the fact that government has to cut way back in all of its expenditures, I think of those children and of those vulnerable adults who will be the victims of those cutbacks. As I said in the House the other night, you can take down all the French signs, you can take away the members' pay and you can deal with all the things that they call hotline shows about, but that doesn't leave the money for vulnerable children and adults.

That's why, it seems to me, we are elected. I was not elected here to protect the rich and the privileged; I was elected to this Legislature to protect those who are unable to protect themselves and to try to help to provide good government for all in this province. I know if I went door-to-door and asked people, "Shall we spend money on developmentally handicapped individuals? Shall we spend money on people who have been unfortunate enough to suffer a head injury? Shall we spend money on care, whether it's care which is respite care for Alzheimer patients or the actual care provided to them?" people would say yes.

Those are costly services. They don't come without a pricetag. That is why, when we talk about making deep cuts in terms of taxes or very deep cuts in terms of government expenditures, we must know that will mean a diminishing of service to those people. I think that has to be put on the table when we're going around the province to talk about these matters.

I've had people phone my constituency office as well about the extension of Paratransit services in communities, because while the services are much better than they used to be 15 or 20 years ago, there is still a need for those people to be able to play a role in our society that they consider to be deserving. I would certainly recommend that this be one of the priorities that would come out of the expenditure that is suggested by this bill.

There's an individual in our community by the name of Linda Crabtree who has been recognized both federally and provincially in terms of special awards. She has a dream for a retreat for people with disabilities. I hope that various levels of government, the volunteer sector and the private sector can help to make that dream of hers come true by allocating the appropriate amount of money and the kind of services that would be helpful to her and to those who share this dream.

I hope that the government will deal with the issue of the venting systems for furnaces in this province. That again is a matter that is brought to our attention. These matters don't always get a lot of attention in the news media or necessarily in this House, but there are a lot of people placed in a very difficult situation who have to vent carbon monoxide, and they have pipes in now which are no longer acceptable and yet they don't have pipes which are going to permanently be acceptable to replace them. There's considerable cost to these people and there's considerable inconvenience, and there are some questions that are being asked about that.

I want to, as well, deal with the issue of landlords and some of the problems that landlords encounter. The Minister of Housing is here tonight, and he knows that a series of governments have tried to assist tenants who have been in vulnerable situations over the years and have been quite successful in advancing the cause of tenants.

There are, however, out there landlords as well, many of them small landlords, who face anguish over the fact that they are unable to remove from their buildings people who are very bad tenants, who don't pay the rent and who do damage and cause great disruption to the rental accommodation. Not only is that a problem for the landlord who may have invested in a fourplex or a sixplex instead of something else, made an investment there, but it's also an imposition on those who live in those other apartments, the good tenants, the overwhelming majority of people who pay the rent and are prepared to be good tenants who treat the rental property as though it were their own property. For that reason, I believe that governments must address that.

The Minister of Community and Social Services spoke about trying to address the problem of those who receive public assistance but decide that they shall pay no rent even though a portion of that is devoted to, or supposedly devoted to, or allocated for the purposes of accommodation. He has said that he's going to look into that matter.

Again, I think there has to be a balance there. I believe that tenants need protection and that we've brought forward a lot of protection for them. On the other hand, I believe that the landlords, particularly those smaller landlords, also deserve consideration from government in our province.

I also want to deal with the issue of family and children's services and the difficulties that those people face in family and children's services. We have many more situations where there are dysfunctional families out there and many more children who are placed in a vulnerable situation. Family and children's services can deal with these problems only if they have the appropriate support from the various levels of government and indeed from the community on a volunteer basis, those who are prepared to make those donations.

We are in a building campaign in St Catharines for a new building, a family and children's services building, to better serve the public, but also there are direct funds that are needed for those children out there.

There are those who are suffering from Alzheimer disease; I made brief reference to them. More and more

we are getting telephone calls from people who are absolutely desperate in having to deal with those in their own family who have Alzheimer disease, a terrible disease that removes from people their very existence and makes them what amounts to a liability—and it's awful to say that—and a great difficulty for the family and for themselves. I believe we have to address those problems.

When I hear people talk of cutbacks, when I hear people talk of government withdrawing from so many sectors, I believe that we have to take into consideration all of these matters, all of these vulnerable people, and ensure that they are going to be able to receive their just deserts from government and from our society as a whole.

The Speaker: It being 12 of the clock, the member may continue later.

Is there a business statement?

Mr Bradley: I'm finished my speaking. I've concluded my speech.

The Speaker: I thank the honourable member for St Catharines. Are there questions and/or comments? Seeing none, is there a business statement? The Solicitor General, a business statement? Further debate? Is there further debate?

The member for Oxford has moved second reading of Bill 204. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

BUSINESS OF THE HOUSE

Hon David Christopherson (Solicitor General and Minister of Correctional Services): Pursuant to standing order 55, I wish to indicate the business of the House for Thursday, December 8.

On Thursday morning, during the time reserved for private members' public business, we will consider ballot item number 75, a resolution standing in the name of Mr Bradley, and ballot item number 76, a resolution standing in the name of Mr Cooper.

On Thursday afternoon, we will give second and third reading consideration to certain private bills. Following that, we will give third reading to the Supply Act as well as third reading to Bill 198, amendments to the Liquor Licence Act and other acts with respect to after-hour clubs. Following that, we will give committee of the whole and third reading consideration to certain private members' bills, including: Bill 152, the Loan Brokers Act; Bill 192, An Act to amend the Highway Traffic Act respecting Firefighters; Bill 179, An Act to amend the Highway Traffic Act; Bill 183, An Act to amend the Municipality of Metropolitan Toronto Act; Bill 176, amendments to the Highway Traffic Act respecting the trucking industry; Bill 158, adoption disclosure; and Bill 191, An Act to amend the Municipal Elections Act.

The Speaker (Hon David Warner): It being past 12 of the clock, this House stands adjourned until later this morning at 10 am.

The House adjourned at 2402.

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| Northumberland | Fawcett, Joan M. (L) | Scarborough East/-Est | Curling, Alvin (L) |
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| St George-St David | Murphy, Tim (L) | Yorkview | |

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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No. 169A

N° 169A

ISSN 1180-2987

**Legislative Assembly
of Ontario**

Third Session, 35th Parliament

**Assemblée législative
de l'Ontario**

Troisième session, 35^e législature

**Official Report
of Debates
(Hansard)**

Thursday 8 December 1994

**Journal
des débats
(Hansard)**

Jeudi 8 décembre 1994



Speaker
Honourable David Warner

Clerk
Claude L. DesRosiers

Président
L'honorable David Warner

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 8 December 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 8 décembre 1994

The House met at 1003.

Prayers.

PRIVATE MEMBERS' PUBLIC BUSINESS VEHICLE EMISSION TESTING

Mr Bradley moved private member's notice of motion number 54:

That, in the opinion of this House, since Ontario has one of the most severe summer smog problems in Canada, and

Since summer smog is a serious public health threat, particularly for the hundreds of thousands of Ontarians who have asthma and other respiratory ailments, and

Since about half of the air pollution which forms smog is emitted by automobiles and trucks, and

Since Ontario has fallen behind more environmentally advanced jurisdictions in North America, which have instituted mandatory annual vehicle emission testing, and

Since in Ontario, we are spending several million dollars to test vehicle emission testing equipment which has already undergone more than a billion dollars of testing by the US Environmental Protection Agency;

Therefore, this Legislative Assembly supports the immediate implementation of a mandatory annual vehicle emission testing program to get polluting vehicles off the road and reduce summer smog.

The Acting Speaker (Ms Margaret H. Harrington): Pursuant to standing order 96(c)(i), the honourable member has 10 minutes to make his presentation.

Mr James J. Bradley (St Catharines): It should probably come as no surprise that as an individual who has had the privilege and honour of being the Environment minister of Ontario for a period of over five years, the resolution that I would bring forward when I had the opportunity to do so would be one that would be connected with the environment.

The recession has been very hard on environmental advancement throughout the world, and certainly that is the case with Canada and Ontario as well. The period of 1985 to 1990 was one of probably unprecedented interest and coverage of environmental issues. What one finds is that when governments are subjected to additional scrutiny in one specific area such as the environment, it tends to cause governments to move more rapidly and comprehensively in dealing with problems in that area.

This government has had to deal with a very deep economic recession and many other governments have had to do the same. As a result, environmental initiatives have been put more on the back burner than the front burner. I don't say that in any partisan sense. That is something we're seeing in a number of jurisdictions, though not all jurisdictions.

It may seem odd that I would be bringing this resolution before the House in the midst of winter because, politically, the best time to bring this forward would be in June of the year, when the smog is at its worst and the newspeople, particularly television cameras, can go out and show photographs of the smog that's out there, particularly in larger metropolitan areas such as Toronto.

Mr David Winninger (London South): Is this something you forgot to do when you were minister?

Mr Bradley: You know, it's very unfortunate when you hear the interjections. You try to be relatively non-partisan in this House and you get interjections. I'm not being critical. I'm trying to present a resolution, and all you do is barrack critical partisan comments. That's why people I think get frustrated in this Legislative Assembly, because you do that. I could stand here and condemn the government—

The Acting Speaker: Please address your remarks to the Chair.

Mr Bradley: —for doing nothing in the environment for five years. I haven't. I've apologized for the fact that we're in a deep economic recession, and I understand why the government has addressed other issues. How many people would do that in any Legislative Assembly? And you still barrack partisan comments from the sidelines. I guess the only thing to do is to be partisan. It really amounts to that. The member for Durham East would say that.

Interjection.

Mr Bradley: One example that we have for us, which is now completing, is the example of the Countdown Acid Rain program, which was supported by all members of the House back in 1985. That was an example of being able to move forward with an environmental issue, an environmental problem, despite the fact that there was considerable opposition. Members will recall that it compelled the four major polluters—Inco, Falconbridge, Algoma in Wawa and Hydro—to reduce by two thirds their emissions by 1994, and overall there must be a 60% reduction in sulphur dioxide emissions across the province of Ontario.

What is interesting is that initially there was a lot of opposition to that. Some of the major polluters said that this was absolutely impossible, that there was not the technology or science to do it, and that besides, there was no money. I thought one of the most interesting press conferences I've ever watched was the one Inco had after a three-year reporting period which said, "Not only is it possible with our technology and with our science, but we're going to spend \$500 million to do this and we will implement this program and, by the way, we will make a profit on one portion of it of 6% and on another portion

the profit will indeed be some 17% or 19%." That's a clear demonstration that despite a tremendous opposition, we had three parties in the House that were supportive of the initiative and it worked very well.

There are a number of programs that are up and running now, some not moving as quickly as I would like to see as an environmentalist or perhaps as a person who knows about those programs. The municipal-industrial strategy for abatement program, MISA, and the clean air program would have been nice initiatives to see moving. I hope they will begin to move more rapidly than has been the case to this point in time.

I had great expectations for this particular party in power, because when I listened in opposition they made some very compelling cases, I thought, for environmental improvement. I read many of the resolutions that were passed at the party annual meeting and at provincial council. There were a lot of people very concerned and very committed, some of them elected to this House, to environmental improvement. I guess again as a result of the recession and the lack of movement, I've been disappointed in that area, not on a partisan basis, because I think many of the parties across the country, regardless of what they are, have had difficulty in moving forward.

British Columbia, which has an NDP government, has moved rather rapidly in this particular area. I commend Moe Sihota for the initiative that he took in this regard in the lower mainland of British Columbia.

1010

This is an area, I think, where their action is possible. Yes, it's an extensive program; yes, there is some cost to it, but it seems to me that it is a very practical program that can be implemented across the province. The Environment minister needs support in this regard because the Ministry of Transportation will say that it has more initiatives that it wants to deal with. They would rather build more roads and bridges and things of that nature. That is their primary purpose. So dragging the Ministry of Transportation along, kicking and screaming, is something every Environment minister has to do with initiatives of this kind. I think the Environment minister needs support from members of this House to be able to implement this kind of program.

I also know that there are many people in the environmental community who would like to see us virtually abolish the use of personal vehicles, and that is a Utopian dream that many have. I must add that for the auto workers in St Catharines, Niagara Falls, Windsor and other parts of the province, that is not a consideration they take as being very serious.

So we have to then address the problem of how do we deal with reality, the reality being that most people like to have a personal vehicle in a country or province such as ours which is so large, and how do we deal with the emissions from that particular vehicle? I think that's what this addresses today.

We can make vehicles more fuel-efficient, and there's been some good progress made throughout North America, better than Europe in this case, in fuel efficiency, and we can make them better vehicles in terms of

the emissions they give off. The real problem exists with the older vehicles. The newer vehicles, particularly the brand-new vehicles, are much less of a problem in terms of pollution than the older vehicles. If we can get the clunkers off the road or at least fixed up, we will go a long way to solving an important problem out there.

We can reduce volatile organic compounds in summer months through regulations. I believe we can move even more rapidly than we have. The northeastern United States has an excellent program. I remember meeting with those people and seeing what they were implementing.

Members of the House will find perhaps amusing but not surprising the fact that there was one company, because you always get resistance from the oil companies on these things, that said: "We can't possibly produce the kind of fuel that you want in Canada from our factory. It can't be done." The same company, of course, was producing the fuel for the northeastern United States, because the regulation there stipulated the Reid vapour pressure, which deals with volatile organic compounds. So that is one area I think we can move rather rapidly in and it would help an awful lot.

There is a significant problem with vehicle emissions, as I mentioned, particularly from older cars and from trucks. There is a bad-air corridor in the summer from probably Windsor right through to Kingston, maybe even farther down there, that we all want to address; we want to see an improvement. Summer smog is a severe health threat, particularly for hundreds of thousands of Ontarians who have asthma and other ailments. I was talking to the member for Chatham-Kent in the House last night. He was mentioning that you're seeing more asthma these days, particularly with the younger people, and how it would be nice to be able to address that problem.

We have the opportunity to do that. A little later on in the debate I hope to expand upon how we can do that, how serious the problem is and how I believe members of this House can assist the Environment minister in persuading his colleagues in cabinet and in government to proceed with what I think is a very sensible program.

The Acting Speaker: Now each party will have 15 minutes to debate Mr Bradley's motion.

Mr David Tilson (Dufferin-Peel): I'd like to congratulate the member for St Catharines. I guess today is Environment Day. This morning we have two resolutions before the House, both of which involve environmental matters. I congratulate him for bringing it forward.

I think the issue of smog is a principle that we're all concerned about in this province. As to this particular government that's before us—and Mr Bradley, the member for St Catharines, may have some defence to deal with his position when he was Environment minister—there's no question that this government hasn't really done a great deal with respect to smog and the problems of smog, particularly in the larger urban areas. It seems to have concentrated most of its time on dumps.

I look at the resolution and I look at the provisos and I agree certainly in principle with the provisos and I look forward to perhaps more explanation from the member for St Catharines as to the intent of his resolution. I quite

frankly support in principle the resolution. I do have one major concern as to what the intent of the resolution is, and of course that's one of the problems with resolutions; that sometimes, as opposed to a bill, one isn't able to perhaps clarify what the resolution means.

I think it's unnecessary, for example, to test brand-new vehicles that come off the assembly line that have had strict requirements in the manufacture of those vehicles. I don't know whether mandatory testing should be done on new vehicles and I don't know when an appropriate time should be, whether one year, two years or three years. I've driven three-year or four-year-old cars and sometimes they get pretty bad with respect to problems. I have no idea. I would have to look at the experts with respect to that.

I do know, however, that with respect to this specific resolution and the way it is worded, I would have some concerns with the intent of it. It may not be that that's the member's intent, to require all vehicles, although that's what it says, but I cannot believe that he intends all vehicles including brand-new vehicles. If he does, I may have some problems with respect to supporting the resolution.

The current government, of course, Mr Wildman, the Minister of Environment and Energy, has a policy now. It's a pilot project which has been referred to in the past and was announced some time ago which says you have an option: You can go and have your vehicle tested—which, quite frankly, we all get rather cynical about when we hear that. If I have a vehicle that's four or five years old and I've got problems with the emissions that are coming with my vehicle or I suspect that, do I really think that I'm voluntarily going to go and have my vehicle tested and run the possibility of great expense of having it repaired? I suppose if I'm a keen environmentalist I would do that, but I must say I get cynical at spending all of that money and effort.

If you're going to get into a project like that, I would support the principle of British Columbia, which essentially is what this resolution is doing, to support that type of philosophy, and it's really a meaningless type of position that this government has taken with respect to voluntary testing.

Michael Valpy wrote an article back in September which many of you may have read. I'm certain the member for St Catharines has read it. He starts off his article talking about what happened in England this past summer and that there were a large number of asthma sufferers as a result of the smog, particularly in the city of London. Mr Valpy says, "The end of another summer smog season—and British Environment Secretary John Gummer, responding to public alarm over record numbers of asthma sufferers hauled off to London hospitals in June and July, announced a few days ago that he is considering rationing car use by London commuters." That shows you that the problem is like many things particularly this government has done: When a crisis develops, it takes a crisis to do something.

In that respect, I think the member for St Catharines is right: We have foreseen that each year we have more and more smog. At the top of the headline of each paper it

tells you what the rating is of the smog in each particular city. So it is getting worse, and if we don't take action, certainly the smog that's being caused by automobiles is getting more and more serious.

1020

I support in principle the resolution. I look forward to hearing more from the member as to what he means by his resolution. Mr Valpy talked about a number of other things. I'd like to refer to his article, which essentially supports Mr Bradley's resolution: "Pollution Probe and the Canadian Lung Association, in a joint report released early in the summer, said Ontario is falling behind other provincial and US jurisdictions in the fight against summer smog. The report was blunt: Provincial government measures are ineffective." And there's no question they are. Each summer has gone by and we've had smog and air problems and the government seems to be doing nothing, and this problem—

Interjection.

Mr Tilson: Well, I'm telling you that the smog continues. The problems from emissions from automobiles continue. Mr Bradley, whether you want to criticize him as the former Environment minister—I as a different member from his party would love to. He had an opportunity, and you're right, he didn't do that, but the fact of the matter is he's acknowledging the fact that this is continuing and if we don't do something in the very near future we are going to have a problem.

Mr Valpy says, "The Ontario government, for example, has failed to follow British Columbia's NDP in requiring annual emission testing, with cars being thrown off the road if they fail the test." I must say I don't know—and perhaps the member for St Catharines does, who, I'm sure, has researched this area a little bit more than I have—what British Columbia does with brand-new vehicles and perhaps he will be able to enlighten us.

There's another issue as well: the cost of all of this, how much smog is being caused out in the country. I suppose it's hard to distinguish in many cases certain vehicles, but I'm certain the rural people will have problems with respect to that. In general, I'm sure even they will support this type of resolution.

Mr Valpy continues: "It has not followed the lead of a number of US jurisdictions"—referring to Ontario—"in curtailing fuel evaporation at the pumps by means of special hose collars, or in requiring summer-grade gasoline to be composed of fewer highly volatile compounds which pollute the air.

"It has not followed the lead of the US Environmental Protection Agency in setting emission limits for such machinery as tractors, bulldozers, chainsaws and lawn mowers....It has not followed the lead of, say, California in establishing targets for vehicle manufacturers to market low- and zero-emission vehicles."

Mr Valpy continues; I won't spend any more time with that, but it's a good article.

The issue that's being raised by the member for St Catharines is just one of many things that this government could do and could have done with respect to dealing with smog. I can't let it go by—the current

government's policy is voluntary testing—to make some comments with respect to the current government policy and why I think it's really of no use whatsoever.

I put a number of order paper questions to the minister on this topic and if I have time I'd like to refer to some of the answers that were given to show that the government's policy is really one of folly, and that you're either going to have a policy of the type of testing that's being suggested by the member for St Catharines or you're not going to have any at all. For example, in this particular case, I asked some questions with respect to costs, and it appears that "All costs being incurred in establishing the project are to be borne by the contractor with no guarantees that he will be awarded the contract at the end of the year's pilot period."

Cost is an interesting issue. Again, to be fair to the member, he could have pages and pages in his resolution, but I'd like to hear more about the issue of costing, about how that is going to be controlled. Will it be, as he's suggesting, for example, that the testing will be contracted out to individuals or will the government be obliged to construct buildings? In other words, I get worried about cost and bureaucracy and how he would propose it be administered.

It really is dubious what results can be achieved if the project is based on voluntary testing, which is what this government has. The only people who will voluntarily have their vehicles tested will be those people whose car or automobile or truck is in good condition. No one else is going to do that.

In fact, in one of the order paper questions that I put forward I asked, "Would the Minister of Transportation please provide any results of public opinion polls regarding the imposition of mandatory inspection fees and how such a program will be enforced?"

The answer was, "Results from a January 19, 1993, Environics study of a Metropoll show that 60% of the greater Toronto area residents were supportive of the idea of mandatory testing for vehicle emissions," and I believe that. It may have even increased. Anybody who lives in the city, if you don't have an air-conditioned car that you can close up your windows as you're driving along any of our main highways, you're going to have a difficult time. All of that is called smog. I am surprised actually that the poll isn't higher. This was done in 1993.

"When asked how much they would be willing to pay for inspections, the average amount mentioned was \$44. With regards to enforcement of such a program, other jurisdictions enforce the program by making vehicle registration a condition on passing the emissions inspection." Then they say, "Of course there will be no fees charged during the pilot program and no enforcement required." That's meaningless rhetoric, quite frankly.

I'd be interested to know whether the member has any concept of costing, of fees. We've seen the corporation fee, the \$50 fee that the public has to pay for corporations and other such fees. Fees seem to be going up and they're going to complain about that. We need to know more about what the member for St Catharines has with respect to that.

I asked the question, "Would the Minister of Transportation advise the House how it plans to monitor vehicle testing?" This is the pilot project of the current government. The answer was, "Emissions data will be collected for each vehicle tested and then analysed. A database containing all results will be developed and will provide a basis for monitoring the vehicle testing program."

I don't know whether any information is yet available from the government. It's been doing this for some time. I'm sceptical as to what the results are and whether it will really provide anything.

I think the experiment that the government had was a complete waste of money, complete waste of time, and that what it should've done is to look towards the type of issue that the member for St Catharines was suggesting.

I asked a question to the Minister of Transportation as to how the ministry, "due to the time needed to perform the emissions tests, intends to avoid traffic congestion on busy roads and will there not be an even greater problem if the ministry is anticipating that 30% of the cars will need to undergo secondary testing."

I think we better be prepared for that because there's quite a number of cars out there that are causing problems, and where are they going to be tested? Are we going to do it on our main highways? How is it going to take place?

The government gave, as usual, a vague answer. They said, "Since this is a pilot program capturing perhaps 1% of the local light duty vehicle population, we estimate 100 vehicles per day, which is not expected to cause local traffic problems."

I'd be really amazed if they even get 100 vehicles per day, voluntary, 100 people a day going to take their vehicles in for voluntary testing.

"Due to the voluntary nature of the pilot program the contractor may wish to arrange appointments to evenly distribute the testing load over the one-year period. Specific requirements have been made in the RFP asking respondents to address local traffic impact and thus responses will be evaluated with this in mind. The pilot program's intent is to help us learn how to handle volumes of people in a mandatory program."

I look forward to hearing more from the member for St Catharines as to what he intends with his plan.

1030

Mr Wayne Lessard (Windsor-Walkerville): The member's resolution begins by saying that Ontario has a severe summer smog problem and that smog is a threat to health as well, and that's certainly true. He goes on to say that half of the smog is emitted by automobiles and trucks, and that's certainly true as well. But I know if there's any resistance in the Windsor area that I represent to mandatory testing, it would have to be because of the fact that most of that pollution comes from cars and trucks in the United States.

He also goes on to say that we've fallen behind more environmentally advanced jurisdictions in North America. If that's the case, then I think that period that he was talking about in his remarks, between 1985 and 1990 when he was the minister for the Liberal government

during a time of high economic growth and when there was a lot of attention being paid to environmental matters, certainly something could have been done at that time so that we wouldn't have fallen behind. But it wasn't.

This government is doing something about it. On April 21 of this year, as part of our efforts to deal with the problem of smog, the ministries of Environment and Energy and Transportation announced the vehicle inspection and maintenance program to test emissions from cars. The member for St Catharines would like the people of Ontario to believe that somehow this is a flawed initiative. Well, nothing could be further from the truth.

He's playing cheap politics by saying that our program isn't good enough because it's not mandatory. The member's saying that because we're not forcing all motorists to submit to an operationally unproven technology, our program isn't good enough. This is nothing less than irresponsible politics, and the member should know better.

What this government is doing is a giant step ahead of the vehicle emissions program that the member for St Catharines introduced when he was the Minister of the Environment, which was nothing. If he had done this kind of pilot project, we might be in a position to move sooner to a province-wide program which all motorists in Ontario could take advantage of.

The vehicle emissions testing program that we have introduced and that will be under way in the spring should be one of the most advanced in North America. It will evaluate state-of-the-art technologies over a one-year period at no cost to vehicle owners, and we expect that some 25,000 vehicles, cars and trucks, will be inspected over the one-year life of this program. In addition to this, we've begun a heavy-duty vehicle emissions pilot project as well. That began in September.

The member for St Catharines is introducing this resolution today so that he can try to impress environmentalists and green organizations in the province of Ontario and somehow convince them that the Liberal Party is more serious about dealing with smog than the New Democrats.

Environmentalists and activists in green organizations in Ontario are well informed. They know about these issues and they know that we are doing more about smog and environmental issues than the Liberal government did when it was in power. They also know that if the Liberals had introduced the pilot project when they were in government, we'd be much further along than we are now.

Our government is serious about tackling vehicle emissions and that's why we're taking a responsible approach to make sure that the program we implement is one that's going to work. This resolution does nothing to advance the fight against smog, but our testing program certainly will.

Mr Steven Offer (Mississauga North): I'm pleased to join in the debate this morning on this issue, and, let me say at the outset, in full support of the resolution put forward by the honourable member for St Catharines.

As a first comment, I am quite surprised by the remarks by the member for Windsor-Walkerville, who has taken a resolution put forward in good faith, has heard some of the opening debate and has responded as if this is some political type of excursion, or incursion.

The fact of the matter is that a resolution of this kind is most important to be brought forward not in the summer months, to be very frank, when our minds are directed more visually to the issue of smog, but really in the winter, because that is the time when action can be taken so that we can be prepared for May, June, July, August and September. You don't start to take the action in those months, because by that time it's much too late. What you have to do is start to deal with the issue in the winter so that you are prepared for the summer.

I think we all recognize, notwithstanding the significant partisan comments of the member for Windsor-Walkerville, that the issue of smog, that the issue of respiratory disease, that the effects those have know no political bounds. They care little about what particular political party one has come to. They affect people, they affect children, they affect our elderly. They are very real and very significant, and action can and must be taken in this area.

As an aside, I certainly just discount the baseless political jargon coming from the member for Windsor-Walkerville on an issue which I believe will very much affect his constituents, the children in his riding, the elderly, those who have any athletic training, as it affects everyone throughout the province.

Now we are dealing with an issue referred to as smog. I have an article written June 22, 1994, by Suzanne Elston, who indicates: "Smog is composed mostly of ground level ozone. It is created"—and I think it's important to talk about what actually this is—"when nitrogen oxide"—referred to as NO_x—"emissions from cars and trucks and volatile organic compounds"—referred to as VOCs—"from solvents and gas fumes mix together and are exposed to sunlight." Basically it's a mixture of the emissions of cars with the gas solvents under sunlight, and that causes smog.

Obviously, "it is thickest and most offensive on hot, muggy summer days." That just underscores the reason why you have to deal with this issue in the winter, so that you can be prepared when those hot, muggy days appear.

She goes on to say: "Most vehicles are the greatest culprits of smog emissions. They emit roughly 40% of VOCs and 60% of NO_x." These, of course, are the ingredients mixed together under sunlight that create the smog.

The article goes on further to say:

"Ontario's recent record-breaking temperatures have been accompanied by unusually high levels of smog. While most of us are more concerned with the heat and humidity, smog can be a serious"—and let me say this is not a political statement; this is written by someone who cares deeply about the issue—"health threat for some. Even low levels can sting the eyes and burn the lungs, and can cause shortness of breath, coughing, wheezing, dizziness and fatigue."

Again in the Toronto Star from just last June, I have an article that says, "Metro Smog Linked to Rise in Hospital Admissions." I say this for no political purpose, no partisan purpose, but rather to underscore the resolution put forward by the honourable member for St Catharines that this is a very real issue, that it is a very real problem, and that the effects and impact of not dealing with it result in a rise in hospital admissions. The article by Caroline Mallan of the Toronto Star reads: "Metro's smoggiest summer days result in a major jump in the number of people arriving at hospitals with breathing problems, international studies show."

"Dr Alfred Munzer of the Lung Association produced three studies of air pollution in southern Ontario, showing admissions to hospitals for respiratory problems jump anywhere from 24% to 50% when smog reaches levels considered acceptable in the United States."

What we've got here is a very real issue which causes some very real problems to a variety of people in this province, and there are ways in which it can be addressed. Vehicle emission testing, as was indicated in the article, can have an effect on this issue which will result in fewer hospital admissions. We know that this has a direct impact on our seniors. We know that it has a direct impact on those with any respiratory problems. It has an impact on any people who work out, who exercise. Smog will affect their health.

1040

It is very important to note that the organization known to all of us in this place and to so many outside as Pollution Probe has combined with the Lung Association to underscore the importance of this issue. I have a news release of June 1, 1994. It states:

"'Ontario is falling behind other provincial and US jurisdictions in the fight against summer smog,' the Lung Association and Pollution Probe said in a report issued today. 'Although southern Ontario has the worst chronic smog problems in Canada, the province is not taking effective action to reduce air pollution,' the two groups said," Pollution Probe and the Lung Association.

This summer millions of Ontarians will be exposed to levels of smog known to harm human health. They have asked the provincial government to take action. Action can be taken. This can be addressed. We can combat the issue of smog. We can make this place a better place, a cleaner place for our citizens and residents of Ontario, for the young people, for those who have respiratory disease, for our elderly and for so many others.

I am more than pleased to be fully supportive of the important resolution put forward by the member for St Catharines, and I would hope that members of the government would look at a resolution of this kind and respond in substance and in principle, instead of cheap, partisan, political meandering on an issue which is important to the people of this province.

Mr Gordon Mills (Durham East): I am surprised that on such an important issue, there are not the speakers coming forward from the third party. However, I'm glad to stand on my feet this morning to speak against the resolution introduced—I was going to say "revolution,"

but I caught up with that—by the member for St Catharines.

The member for Windsor-Walkerville has done a good job this morning here of explaining the initiatives that our government is taking to test vehicle emissions. He was right to point out that this is far more than the member for St Catharines ever did when he was the Minister of the Environment in the Peterson government.

I find it, to quote one of his colleagues, the member for—I forget, but he always says he finds it "passing strange." I find it very passing strange that here we are this morning talking about smog and emissions and the member for St Catharines had it in his grasp when he was the Minister of the Environment of a government that had the biggest mandate, the biggest monopoly in this House that this province has ever seen, and he did nothing. Then he stands here today and has the gall to give the impression that a mandatory program is the approach he would have taken. Where was he when he was the minister?

Why didn't he do that if he was so sure that was the way to start off? Why didn't he do that?

Mr Offer: You're embarrassing yourself.

Mr Mills: No, no. Why didn't you do it? You had the biggest mandate in the history of this Legislature and you did nothing.

Mr Tilson: Give me a break.

Mr Mills: And you haven't got any room to talk at all. What the member for Windsor-Walkerville is—

The Acting Speaker: Order, order.

Mr Mills: He bugs me. He keeps bugging me. I didn't bug him when he was speaking and I don't expect to be bugged when I'm speaking.

What the member is trying to do with this resolution is to create an impression that our government is not sufficiently concerned about the problem of smog, and of course that's complete baloney. I can tell you that, in addition to what the member for Windsor-Walkerville has described, there are a lot of other initiatives our government has taken to deal with the problem of ground-level ozone, and I'm going to list a few of them.

On June 7, 1994, our government finalized a training and certification regulation for dry cleaners. This regulation will require dry cleaners to be trained in the safe handling of dry cleaning chemicals by certified professionals by June 1996.

On July 8, 1994, our government promulgated a draft regulation to control hydrocarbon vapour emissions—gas fumes—from fuel distribution at refiners' terminals, bulk plants and gasoline stations.

Performance standards for new combustion turbines were announced on March 25, 1994, and, as the member for Windsor-Walkerville has already said, on April 21, 1994, the MOEE, along with the Ministry of Transportation, announced a vehicle inspection and maintenance program to test emissions from vehicles.

A light-duty vehicle inspection station will open in the spring of 1995 and a heavy-duty vehicle educational enforcement program has already been initiated by our

government in September by MTO.

MOEE, in conjunction with Environment Canada, announced on April 26 the extension of the air quality advisory to include the northern Ontario cities of Sudbury and North Bay.

MOEE is consulting with industry on voluntary pollution prevention initiatives to curb the release of NO_x and VOCs. For example, Ontario Hydro has agreed to voluntarily reduce 1985 levels of NO_x emissions 40% by the year 2000—40% by the year 2000.

We are also pressuring the federal government to negotiate an 80 parts per billion ozone standard, now a 120 parts ppb average in the US, with the United States. The Ontario standard is 80 ppb.

MOEE has made comments to the US EPA objecting to the reclassification of Michigan as an attainment area for ozone, and the final decision on that has been delayed by the US EPA.

Gasoline now sold in Ontario has one of the lowest benzene contents of gasoline sold in the whole of North America, and I think that's commendable.

We think it's important to have better emission inventories, so MOEE has undertaken a survey, due later this year, of roughly 1,300 large emitters of air pollutants in Ontario. Further, in cooperation with two Ontario dry cleaning associations, the MOEE is surveying Ontario dry cleaners for solvent emissions. Improved inventories are also an initiative under the NO_x/VOCs management plan.

I think that from those initiatives I've read out into the record here this morning, it's easy for everybody to see that our government has taken a workable, responsible and serious approach to smog, and, given that our government has taken that attitude, I think that it is well to defeat this resolution this morning.

The resolution is to obscure the fact that the Liberals, when they were the government, failed to introduce any kind of program to do serious vehicle emission testing in Ontario, and I say again I find it passing strange that the member who was the minister at the time now comes up with some wonderful plan that he says we're not doing when he could have done something and they did nothing. This government is doing something which contributes to the battle against smog much more than the resolution does.

1050

I want to talk about back in the summer this year. I was over in England visiting, and I can tell you that I was almost forced to go around with a handkerchief over my face. I'd only been there two days and I got a sore throat, running eyes, and I felt terrible. Three days I had all the symptoms of bronchitis. Four days when I lay down to go to bed at night I had this horrible crackling continue in my chest. Every day I felt terrible. I felt ill.

Interjection.

Mr Mills: No, it isn't. I'm better now.

What I want to tell you is there are a lot of complaints that we are doing nothing in Ontario. Here I was, over there—the pollutants are terrible—crackling, wheezing and everything. I came back to Canada, and I was so glad

to come back here, Madam Speaker, you wouldn't believe it. Two days after I was breathing the wonderful air in my community, the hamlet of Orono in the beautiful municipality of Clarington, I was like a new man. I have been rejuvenated with that wonderful air that we have in Ontario. So for you folks to sit there and blame us for doing nothing, when you had the huge mandate that you could have done anything you wanted in the whole country and you did nothing—

Mr Pat Hayes (Essex-Kent): No political will.

Mr Mills: You had no political will, as my friend from Essex-Kent says, and he's quite right. With those comments, Madam Speaker, I thank you for this opportunity. There's a minute or so left if there are any of my colleagues who want to comment on that, but I thank you for the time.

The Acting Speaker: Are there any members who wish to further debate this motion? Seeing none, the member for St Catharines may reply.

Mr Bradley: I take it this is it? I want to deal with some of the legitimate comments that have been made about the resolution. First of all, I want to say I am really disappointed that people would view this as a partisan shot at the government, because it's not designed to be that. I had a lot of things I could have brought forward as a resolution. I tried to pick one about which I felt very strongly personally, about improving the environment.

It didn't matter, I think, to the members of the government, I've listed some of the things the government is endeavouring to do to help the environment and I'm happy to see that is taking place. I wasn't critical of those things. But when we're trying to develop something for private members' hour we usually try to pick something that is either particularly important to our constituencies or to ourselves.

I notice from time to time that private members' hour has been utilized for partisan purposes by all parties, and I've seen some of those. I could have chosen a really government-bashing resolution or bill and I didn't want to do that. I wanted to say, "What is something I would like to see done, whether I didn't do it or the Conservatives didn't do it or this government didn't do it?" I didn't say, "You've had four and a half years or whatever to do it and you haven't." I simply put forward a resolution that I think will help the province. I think it will help the member for Windsor-Walkerville's area, the member for Durham East's area, to improve even more than we have over the past 10 or 15 years.

I want to say to the member for Windsor-Walkerville that some of the arguments he has made are the very arguments I encountered from polluters constantly and that every Environment minister encounters: It's too tough a program to implement; it's too complicated; the problem is really the American problem. Constantly, and some of the members who have been in the House a long time would know this, we face this argument, whether it's in committee or wherever, from polluters, from people who don't want to see environmental action.

There's a page in the Globe and Mail today where there's a writer who is constantly debunking everything

that has to do with the environment. That happens. That's why I'm surprised and disappointed to hear the same arguments advanced by members of the New Democratic Party.

In answer to the member's question, when you try to develop the various programs, it does take a while to develop them, and I appreciate that for the government it does take a while.

One of the things we were working on as 1990 came was cooperation between the MTO and the MOE to implement this kind of program. The minister who came in in the day, Mrs Grier in this case, who was a very committed environmentalist, would have had that program brought forward by MOE officials and MTO officials. That would have been, I think, an opportune time, but I recognize her other priorities that the government had to deal with. I appreciate that.

I know it's always hard to believe in this House, but this is not a politically motivated resolution. It's simply something I feel strongly about. I tried to pick something in the environment where I thought we could implement a program that would be a good program for our province.

The member for Dufferin-Peel asked a couple of very pertinent questions about how practical this is. What I envisage—I did not make it as precise and detailed as a bill can be, and he pointed out that a resolution usually doesn't do that—is that you would not have new vehicles, you'd have vehicles that would be three years old or over that would be subject to this annual inspection.

The member for Dufferin-Peel points out appropriately that even some of those vehicles can begin to have problems with their emission controls. So that's what I envisage there. I envisage that it would be done by contractors just as, when a car changes hands, we have a safety inspection done by private organizations, private garages. In fact, that's how this could be implemented in Ontario.

I would understand the problem of trying to do every brand-new car in the province—that would be very difficult—but I think these problems can be overcome. We had a lot of discussion in the ministry when we were in government about that, and of course the Ministry of Transportation raised a lot of the concerns that Mr Tilson raised in this House, and I think those certainly can be overcome.

As far as the cost is concerned, to me that's a cost that I bear as a driver of a vehicle. I believe that the main problem as well is certainly in the urban areas, not in the rural areas, and that when you stage programs—if you look at British Columbia, what they selected was the lower mainland where there's a problem with groundlevel ozone. I remember going to a conference in Washington where a professor from British Columbia made this compelling case to the Americans and he used as a good example the lower mainland in British Columbia where they had been able to move.

I don't know whether the government could move all over Ontario on this in its initial stage. It certainly, in the major metropolitan areas, could move as a start. It's not

something you jump into immediately, I understand that. Although I'd like to see that happen and my resolution suggests that, I know the government would want to phase that in.

I think the member for Durham East makes a good case for what can happen when we don't have the best possible laws. His description of Britain is one which many people have brought back in terms of the smog that exists there. We're fortunate we're a bigger country. We're more spread out and the air corridors are different, but we do encounter those problems. As I said, the member for Chatham-Kent and I were discussing at some length last night the new respiratory diseases, particularly asthma, that we're seeing in people.

I think it's a supportable resolution. I don't criticize the government for action or lack of action. I think the government has been ahead of other jurisdictions in some areas of the environment and behind in others, and there are some jurisdictions which have taken some initiatives that I think we can learn from and proceed with.

I hope that the arguments that are made are arguments that in fact are not accepted, those arguments being those made by polluters. I cannot emphasize too much how the government members will be told by some people in government why something can't be implemented.

If I did not move forward with or try to move forward with initiatives that I was told by other ministries couldn't be implemented or by the private sector or by business, labour, citizens, whoever, I'll tell you you would have no environmental improvement taking place. There's a constant assault on environment.

There's a new group out there deliberately debunking the environment set out there. It's a well-financed group. It's a group that attacks the Niagara Escarpment Commission. It's a group that attacks the environmental initiatives that this government brings forward or any other government brings forward, and we have to be very careful not to fall into the trap of using those arguments.

That's why, and I like the member for Windsor-Walkerville, I was surprised that the material that he read into the record really sounded like what some of us who have been in this House for years and years had listened to from the polluters over the years.

I think it's a supportable resolution. I hope members of the government don't see it as a partisan shot at them, as cheap politics, as the member for Windsor-Walkerville saw it. I hope you see it as a good potential initiative for a government to implement, and I would certainly applaud the government if it were to implement that and be very supportive of the minister in any efforts he would make to try to improve the environment in this way.

I think the cautions that have been suggested by the member for Dufferin-Peel are reasonable cautions that one has to look at in the implementation of such a program, but I deliberately put it forward as a resolution to try to get the support of members of this House for a Minister of Environment who I'm sure would like to move more comprehensively than he has to this point in time. I certainly appreciated that kind of support when I was minister; I hope we can give it to this minister.

1100

NATURAL GAS VEHICLES

Mr Cooper moved private member's notice of motion number 53:

That, in the opinion of this House, since the Ontario New Democratic government has stated job creation is its number one priority; and

Since reducing government operating costs is of paramount importance to controlling the deficit and preserving the services people have come to rely upon; and

Since economic renewal depends upon high value added manufacturing, export success and increased research and development; and

Since we must use the principles of sustainable development by promoting the wise and efficient use of energy and conservation of resources; and

Since we must lead by example through the procurement of factory-supplied natural gas vehicles and/or retrofit of existing vehicles to natural gas; and

Since we must preserve our environment for future generations;

Therefore, this House urges the government of Ontario to review the feasibility and where possible implement the systematic conversion of government vehicles to natural gas as a means of creating higher value added jobs, reducing government operating costs and achieving a cleaner environment; and

This House also urges the government of Ontario to call upon the government of Canada to review the feasibility of converting federal government vehicles to natural gas; and

This House also urges the government of Ontario to call upon Ontario municipalities to review the feasibility of conversion of municipal vehicles to natural gas.

The Acting Speaker (Ms Margaret H. Harrington): Mr Cooper has moved motion number 53. He will now have 10 minutes for his presentation. Following that, each party will have 15 minutes to debate this motion.

Mr Mike Cooper (Kitchener-Wilmot): Basically, the purpose of this resolution is to urge the review of the systematic conversion of government vehicles to natural gas.

The conversion to natural gas is similar to the chicken-and-egg riddle: Potential customers want to see fuel availability before they will switch to natural gas vehicles, while fuel station owners want to see natural gas vehicles before they will invest in a new fuel supply system.

This resolution is in keeping with the NDP government's plan of investing in jobs, controlling spending, reducing the deficit and preserving services.

The present Ontario natural gas vehicle market is not sustainable without growth of local markets. While it's a \$62-million industry here in the province of Ontario, we're looking to the long-term economic benefits for the government of Ontario to become a leader in the field of natural gas. The New Democrats have always supported policies to reduce transportation's energy intensity and

the production of carbon emissions.

I guess first what we should do is talk about what natural gas is. Natural gas is inherently the cleanest of all fossil fuels. It is primarily methane, and methane is chemically a simple fuel, especially when compared to the very complex chemical compositions of gasoline and diesel. This characteristic of natural gas allows automotive engineers to design for and achieve extremely low exhaust emissions.

For example, Chrysler Corp has recently produced a natural-gas-fueled version of the popular Magic Wagon, available now in the United States and Canada for the 1995 line. The natural gas Magic Wagon is designed and produced in Ontario by Chrysler Canada. This new minivan has been certified to meet California's future vehicle emission standards, which have been recognized as the most stringent in the world. Moreover, Chrysler's natural gas vehicle minivan is the world's first production vehicle and so far the only production vehicle to be certified to meet the ultra-low-emission vehicle standards.

Natural gas is a proven safe fuel. The inherent characteristics of natural gas vehicles that provide this important advantage include the fact that since natural gas is lighter than air, natural gas will rapidly dissipate into the atmosphere should a leak occur. Gasoline and propane are both heavier than air and may lie or collect near the floor or ground, providing conditions for combustion. Natural gas needs a very high temperature to cause combustion: 632 degrees Celsius. By contrast, gasoline ignites at 280 degrees Celsius and propane at 466 degrees Celsius. And the natural gas fuel cylinders approved in Ontario for use on vehicles are much stronger than gasoline tanks and there have been no reported incidents of cylinder failure as a result of vehicle collisions in Canada.

We've also encouraged the development and manufacturing of highly efficient urban vehicles powered by alternative fuels. The long-term economic goal benefits are not only for the province of Ontario but also for the government of Canada and Ontario municipalities.

Natural gas has a strong infrastructure base already in North America, and this is where I came to know about this: There's a company in the city of Kitchener called GFI. Their system, they claim, can reduce fuel costs by 30% to 60%. At the pumps presently, natural gas runs at about 32 cents a litre. The mileage is as good or better on an energy basis and the maintenance costs can also be lowered through reduced engine wear.

There are approximately 15,000 vehicles equipped to run on natural gas, and this amounts to about 50% of the Canadian natural gas vehicle market, here in the province of Ontario. There are about 2,000 people employed in this industry at the present time. Right now there are 35 public and private refuelling stations, and over 800 vehicle refuelling plants are situated in individual customers' premises.

GFI's Canadian-developed computer technology has been described as a conceptual breakthrough. It's a viable alternative fuel system and it has produced technological advancement in research and development. It serves to protect and create higher value added jobs here in the province of Ontario and it's putting people to work in our

communities. The job spinoff is considerable. GFI estimates that 10 jobs in related parts production and technology development, as well as service and installation, are created for every job at GFI.

Our government's mandate includes the responsibility to find commercial partners and ensure that Canadian manufacturing jobs, specifically here in Ontario, are part of that mandate. We need a high level of export potential. We need the preservation and growth of clustered development industries here in the province of Ontario.

The cluster stakeholders here in the province of Ontario right now are Alcan in Kingston; Engine Control Systems, Newmarket; FuelMaker, Toronto; GFI Control Systems, Kitchener; Motion Concept Vehicles, Mississauga; Ontario Bus Industries, Mississauga; Ortech, Mississauga; Overland Coach, London; Sherex/OPW, Burlington; Steel Cylinder Manufacturing, Tilbury; Sulzer, Toronto; Williamson NGV Fleet Systems, Georgetown; and Wilson Technologies, Kitchener.

This means a great deal to the province of Ontario in the sense of business. The vehicle refuelling appliances, VRAs, are assembled in Mississauga. The GFI system is manufactured in Kitchener. A Burlington company manufactures NGV nozzles. A Tilbury company makes NGV cylinders which hold the fuel. And Trillium Alternative Fuels is located in Chatham.

What we're saying here is that we have to integrate our efforts with the corporate sector and get the research and development going to help commercialize this new technology. A coordination between the government to establish technological standards for environmental products and services is absolutely mandatory. At the present time, Hamilton currently has a natural-gas-powered fleet of approximately 40 buses and London Transit currently has the first indoor natural gas vehicle refuelling station in North America.

Gaseous fuel injection is the best alternative fuel solution, in my opinion. Gaseous fuel injections are safe, economical and dependable, and maximize the potential for clean burning of abundantly available natural gas. This enhances the environmental benefits to the province of Ontario. But I want to state at this time, right now, that the introduction of this resolution does in no way impact on the government of Ontario's commitment to rural Ontario in the use of ethanol for agricultural use. Ethanol, made from corn or grain, can be blended with conventional gasoline to create a cleaner-burning fuel that reduces carbon monoxide emissions and displaces several toxic gasoline additives. The planned plant in Chatham will use 20 million bushels of Ontario corn a year, and I know for the corn producers in my area of the province this is good news.

The natural gas program promotes the responsible use of a non-renewable resource and environmental protection through the reduction of carbon dioxide emissions. Conversion to natural gas enables our government to conduct its business in an environmentally responsible manner, using the principles of sustainable development. Promoting the wise and efficient use of energy in the conservation of resources is a priority for our government and provides for the government of Ontario to provide

leadership in seeking ways to reduce the environmental impacts of our doing business.

The GFI system offers convenience and flexibility through a bifuel system, and GFI control systems are recognized by the Ford Motor vehicle company through their qualified vehicle modifier program, which means that GFI now has the potential to go in and do factory installations to cut down on the cost of retrofits.

Right now, the F-series trucks with a 4.9-litre engine can be purchased as an NGV or can come equipped with a bifuel system. One of the advantages right now of the bifuel system is that while the natural gas refuelling stations aren't widely available across the province, this allows the consumer to have a bifuel system where if you run short of natural gas, with a flick of the switch you can switch over to gasoline so that you can get to the next station. So while it does cut down on the amount of storage space you have, it is still a convenience, especially if you get into the northern areas.

I know one of the booklets that was really good, and I guess it was just produced, was *Driving Ontario with Natural Gas*, which is put out by the Ontario Natural Gas Association. These are widely available right now and they actually come with maps showing where the refuelling stations are available. I know it's hard to see, and I'll make these available to some of the members, but if you look, it's basically clustered around Toronto westward, down to southwestern Ontario. But you'll note that Thunder Bay also has services, Timmins has services, Sault Ste Marie and Sudbury.

So while it's expanding, we have to show leadership here at the government level. I guess the thing here is that by the Ontario government converting its fleet, it gives an incentive for the people to set up the refuelling stations. I know people like Bell Canada are looking at this, because they have enormous fleets and if they can reduce the cost of doing business it would be an advantage to them. But somewhere, somebody has to show leadership by doing the conversions or at least send the signal that they're going to be doing the conversions so that the natural gas industry will start setting up service centres across this province. This will help benefit everybody. Obviously, with the cleaner environmental fuel, we're going to be preserving our atmosphere and the environment for the future generations.

I look forward to the discussion that will be taking place and I hope everybody will support this resolution.

1110

Mr Hans Daigeler (Nepean): As far as private members' motions go, I think this is a very good one, and I would say for two reasons.

First of all, a substantial reason, I think: Who can argue with having a cleaner environment? In fact, it's rather strange that on this last day of our sitting we should have two motions that are quite similar in intent, one coming this side of the House, from the member for St Catharines, who would like to also make sure that our fuel emissions don't pollute the air any more, and I think the basic intention of the member for Kitchener-Wilmot, with his motion, is the same when he says we ought to

encourage more conversion of gasoline vehicles to natural gas.

So from a substantial point of view, we have two very good private members' motions before us that I think are quite innocuous, as it were, not very controversial. I was somewhat disappointed that earlier on during the debate on the motion from the member for St Catharines it was quite partisan. Mind you, I think in the motion from Mr Cooper, I won't be too non-partisan either, because there are some other spinoff questions that can be raised. I must admit, Madam Speaker, that I might stray a little bit from the topic, but seeing that this is sort of the last meeting we have to put some points of view on the record, you hopefully will permit me a little bit of latitude.

I also am somewhat wondering why the member would have chosen this particular motion. He obviously, and I must congratulate him, has done his homework well. When he just spoke, he obviously had a lot of facts and figures. I don't know whether he prepared it himself or had someone else do a bit of research there. Certainly I will look up with interest in the Hansard all the figures that you put forward, because I think they're useful and, in the furtherance of his objectives, I think it's good to have that background and these facts in front of us.

But frankly, I would have expected a different kind of motion from the member for Kitchener-Wilmot, and he won't be surprised if I say that I was expecting to hear something about motorcycles. I remember, about half a year ago, we were outside the House and there was a tremendous lineup of all kinds of bikers. You should have seen it; it was very colourful, I must say. I'm not a biker myself, but I happened to be here with my family, and I have three teenagers, and they were quite impressed by seeing all these motorcycles outside the Legislature. I don't think they were on the lawn, but they were circling. There must have been 400 or 500 bikers here with their regalia, some of them dressed more than others.

The concern was that the insurance for certain types of motorcycles is very, very hard to come by. It's hard to come by because of certain changes this government has made making it more difficult to get the proper coverage. I know the member for Kitchener-Wilmot has tried several times with the Treasurer, albeit unsuccessfully, I think as late as a couple of weeks ago, to get this issue to the forefront of the attention of the government, because I am still receiving, and I guess he is receiving as well, concerns about insurance coverage for motorcycles. So I was expecting something along those lines.

I hope this is not a sign that Mr Cooper has given up on the motorcycle people in the province. I see he's shaking his head, and I'm glad to see he will continue, and Mr Hansen as well, who's also a friend of the motorcycle industry and the motorcycle fans, to fight for these people, fight with their own government, I guess, because I'm certainly convinced—even though the other side would argue—that it was the changes the government has made to the insurance bill that make it so hard now for certain motorcycle fans to get insurance coverage.

But to come back to the motion before us, it's a good

one. As I indicated earlier, who can be against trying to convert government vehicles, to start, and I'm sure his intention is perhaps for private vehicles as well, to natural gas? They burn in a cleaner way.

He's also phrased his motion in a very acceptable manner, because he doesn't say, "Do it," but "explore the feasibility of." I must say, he's very diplomatic in that language. I don't know whether it is the almost five years now that he has been here that he has learned to drop some of the more radical rhetoric we usually used to hear from the NDP, but he's saying here, "Let's explore and encourage other levels of government to explore the feasibility of." Again, who could argue with that? That's certainly a good approach to take, because clearly it would be the wrong thing for the provincial government to simply impose that requirement on other levels of government.

I should say, though, that there's one element I have a bit of a question about: Why just natural gas? I happen to have attended, about two months ago in Nepean, in the part of the riding that belongs to Ottawa-Rideau, Mrs O'Neill—we went to the opening of an electric vehicle research institute and in fact the opening of the Electric Vehicle Association of Canada. That too is a different approach to motor vehicles that I think we should encourage.

When the member says we should try and get the governments, including the provincial government, to convert to natural gas with their vehicles, I think we should not exclude the possibility of using electric vehicles. In terms of the technical advancement, they may not have progressed to the stage where natural gas has arrived, so it would probably be a little more complicated to do with electricity and batteries. But I think there's quite a bit of promise with regard to electric vehicles. There are some vehicles on the road in Ottawa—and I presume in other parts of the province as well, but I'm not familiar with that—for example, vehicles used by the University of Ottawa, that use batteries; they're used to further advance the research going into those types of vehicles.

1120

I would just like to point out to the House that when we say natural gas, that's fine and I certainly support that, but there are also other means of cleaner air. Electricity in this case would probably be the cleanest air, although there are other dimensions to the impact on the environment that electricity has—all we need to think of is PCBs and all that stuff—so it's not totally a clean alternative either, but certainly cleaner than gasoline fuel. I'm sure the member does not have any great difficulties with this.

But as I indicated, I'm a little bit surprised to see this motion at this time of the term of the government. It's a little bit late, since we may not even be coming back before an election, so I guess he just wants to put this on the record as a hope and a desire for the next government. That's probably good, and why not?

But when we're talking about hopes and desires for the next government, in particular what we could do for the environment, one dimension I want to point out is that we

cannot force people. Sometimes we have to put in place bills, but as much as possible—and I think the member has tried that—you try to work with the people, with the governments and the other institutions. You don't just put in laws and say, "That's it and you follow it." That's the way he has phrased his motion, and I appreciate it.

There's an example where again the intent by the NDP government is to protect the environment but the way it's doing it goes very much contrary to all fairness and to all reasonable democratic expectations of consultation, and that has to do with the wetlands policy. It strays a little bit from the motion, but I do want to put on the record that in eastern Ontario, and now in other parts of the province, they have very, very serious concerns that people have brought to my attention and to the attention of our caucus with regard to the wetlands policy established by this government.

The people are saying, and they've made presentations to us and they're furious, that they're being expropriated without any kind of compensation. Under these new rules the NDP government has established, the government can simply say, "This land is all of a sudden a significant provincial wetland and there's not going to be any kind of development."

These land owners have been telling me, often people who have inherited these lands or perhaps who are pensioners now and have banked on these lands as their insurance for their retirement, that all of a sudden these lands are worth a lot less than they planned. The government simply went on to their land and said, "We say this is a designated wetland under provincial policies," and the people are very concerned about that. They're not against protecting the environment, including the natural environment, but they want a fair hearing; they don't want to just see these matters imposed.

I'm glad the member for Kitchener-Wilmot, with his motion, doesn't just want to impose. He says "encourage the other levels of government to review the feasibility," and I think that's good. That's the way you achieve good government policy, and I would have wished that the same thing had happened with regard to the implementation of the wetlands policy.

I want to leave a little time for the member for Ottawa East, but I did want to indicate to the member for Kitchener-Wilmot that I will be supporting his motion, and if he would bring along a similar motion with regard to insurance for motorcycles, I probably would do the same.

Mr David Tilson (Dufferin-Peel): First of all, I'd like to welcome a class from my riding of Dufferin-Peel who are in the gallery today.

With respect to the motion, I'd like to congratulate the member for Kitchener-Wilmot for bringing this issue forth. Natural gas certainly is cleaner, less expensive, better for your car, and of course in Canada we've got lots of natural gas. It has many benefits, and there's no question about that.

I do have several reservations with respect to the resolution, and I guess it boils down to the same type of philosophy this government has with many of its waste

management policies, for example. With respect to this government's philosophy on waste management, it says, "Thou shalt have dumps, and," the government says, "you will not be allowed to look at energy from waste facilities, you will not be allowed to look at long rail-haul to willing host communities, you will not be allowed to look at other types of disposal of waste." Similarly, with this resolution, it appears to be saying, from the way it is worded, "Thou shalt use natural gas." In fact, the government says, "Thou shalt spend all kinds of money and create all kinds of bureaucracy setting up that type of motor vehicle."

Notwithstanding the good points—and I think we will all agree about the benefits of natural gas. The member referred to ethanol fuel, although that really wasn't part of his resolution, yet it's an alternative to natural gas.

Noble Villeneuve, the member from—I won't even attempt to say where he's from, it's got so many names in it. He's our Progressive Conservative agricultural critic and he has spent some time on the topic of ethanol fuel, and I'm sure the member for Kitchener-Wilmot agrees with many of the things he says. He, along with our party, the Progressive Conservative Party, has put out a booklet on rural economic development where we spent some time on this topic of ethanol fuel.

Interjection.

Mr Tilson: Well, give me a chance and I'll tell you about it, because obviously you aren't interested in looking at other alternatives.

He lobbied several governments, both federal and provincial, for the use of ethanol fuels. He's argued that "the development of an Ontario fuel ethanol industry provides potential for significant economic growth and prosperity in the province's rural areas." I'm reading from the booklet. He refers to the fact that "ethanol, produced through the fermentation of corn, is a fuel additive blended with regular gasoline to produce cleaner fuel combustion and lower emissions." He talks about one of the areas you talked about in Chatham. Your resolution seems to refer specifically to natural gas, yet on the other hand, you start talking about another alternative, which is ethanol.

There are other alternatives that could be looked at. One is the issue of propane, and yes, there are some downsides of propane. It's currently being used in the trucking industry and in some passenger cars as an alternative to traditional gas fuels. Some people are getting into that, for different reasons. It may be economic in some areas and not in others. It's the same with electric cars. Electric cars are being heavily tested and developed in California.

So the question I have for the member in his response, dealing again with the issue of alternatives, is, why can't we look at everything? Why would the government take the lead and look strictly at one issue? There are all kinds of environmentally sound and economically better ways than we are doing now, and we have to continually develop these alternatives. But why can't individual consumers and organizations decide what is best for their particular use and needs and plan accordingly, rather than simply going with only natural gas?

All kinds of articles and books have been written on the benefits of natural gas, and I'm not going to challenge those; I agree with them. I'm just asking, why does your party say, "Thou shalt do this, and you're not allowed to look at anything else"? Your resolution doesn't say that, but you're coming on very strong and saying: "This is the resolution. This is the way in which the province of Ontario may go." Why can't the province of Ontario look at these other alternatives?

1130

It appears that Canada has all kinds of natural gas at the present time. For some unearthly reason—we don't know; I have no idea; I'm not an economist—natural gas prices skyrocket and become too expensive as compared with other fuels. Meanwhile, we've put all our eggs in one basket. We've converted all our government vehicles and perhaps other vehicles to deal with natural gas. Why can't we look at other alternatives? The auto and gas industries are constantly improving their products so that their emissions are lessened and the fuel is being burned more efficiently. So I caution the member for saying, "Let's just look at natural gas."

Natural gas is a non-renewable resource just as gasoline is. I quite frankly emphasize that notwithstanding the good points of natural gas, you have to continually remember that. It's a non-renewable resource just as gasoline is. Both of them can be criticized in the same fashion. The government shouldn't be favouring one form of non-renewable fuel over another. We must be continually looking at better ways of doing things.

I ask the member perhaps a second question, as to who is going to pay the costs necessary for converting these vehicles. Of course, he's dealing strictly with the provincial government. I shudder as to what that's going to cost. I just shudder at what that's going to cost, looking at the debt and the taxes of this province. We're trying to cut down on taxes. We're trying to cut down on the debt of this province. I have no idea what the cost is, but I shudder at the issue of the cost of implementing these vehicles all across this province.

There are other problems which have been referred to. It may have been the member, Mr Cooper, who raised it, the issue of northern Ontario. There have been problems in northern Ontario simply because of the availability of sources to obtain the fuel. The switch-over is one issue, but all of these things are very expensive.

The biggest problem I think in northern Ontario is the issue of availability. The city of Thunder Bay accordingly now has four natural gas vehicles, as I understand it, but it's only using two natural gas vehicles. So the lack of availability of natural gas has an effect. There's only one natural gas vehicle with the Ministry of Transportation. It's a van. It's regularly used because the ministry is unable to gas the other one up.

I'm referring to an article, if people are wondering, from the Thunder Bay Chronicle of June 1992, so things may have changed since then, but I doubt that very much with the economy. The article continues, "The only natural gas dealer in Thunder Bay is Centra Gas Ontario Inc and it has no natural gas pumps open to the public." So that's a problem.

I understand where the member is coming from and I think many of us support the resolution in principle, but obviously we can't go in blind. I realize his resolution perhaps is very purposely vague by encouraging the federal government to look at a feasibility study, but hopefully he would consider his resolution to be amended to look at all alternatives. The system we have now has many problems, but we should be looking at all alternatives.

I appreciate the opportunity to speak at this particular time. I congratulate the member again. I emphasize, just to conclude, that with respect to the subject of natural gas, it is cleaner, it is currently less expensive, although we don't know what's going to happen in the future, it is better for our automobiles than it is now and there's no question that our country has a lot of natural gas that could be used.

One of the problems, of course, is that in the United States they don't have a lot of natural gas and they're not encouraging it as much perhaps as we are because they will be relying on natural gas from this country. So we have a natural resource, and the member is quite right; we should be considering using it. I just caution him in putting all his eggs in one basket.

Mr Norm Jamison (Norfolk): I rise in support of this resolution put forward by the member for Kitchener-Wilmot. I'd like to begin what I have to say today on this issue by saying that we have an abundance of natural gas in this province, and for that matter in this country, and I can say that this fuel at this point, even though it's used in heating homes and so forth, is underutilized.

When I talk about that fuel being available here and produced here in Ontario, it certainly has ramifications. It has ramifications as far as not being held for ransom down the road by oil cartels or oil conglomerates is concerned. I believe that the other advantage, of course, is that we are talking about a fuel that will keep our environment much cleaner as the number of vehicles and motor vehicles dramatically increases on our roads, and that's indicative, I would say, of the recent news of major increases in auto production and auto sales. We have to be constantly thinking and measuring what that means when it comes to the environment and what kinds of environmental situations may face us in the future. I can tell you that I'm concerned about that.

I believe this is good for business. It's good for business because I think there are the new blossoming businesses related to this issue out there ready to take advantage, but of course they need the market. Market is very important. Other speakers in this House have indicated market, and who better to help diversify the fuel consumption in the auto industry than by a push and a realization by government itself to move in that direction?

I can tell you that it's time there was real competition in this field. Gasoline has always been number one and will probably maintain its position for the foreseeable future. But we should be able to say that the consumer will have a better choice, from here, on what kind of fuel consumers would like to pass through the engine of their vehicles. At this point in time I don't believe that many governments are interested in doing this.

I gave a statement in the House yesterday, and that statement was in and around the concern of many of my constituents who were, and still are, extremely concerned about the unrealistic fluctuations in gas prices. I believe that by creating a competitive situation with the use of natural gas, with the use of ethanol, with the use of gasoline, with the use of diesel, whatever, the broader you can make that, that creates a competitive situation, whereas the games that can be played by forming cartels in certain areas to possibly fix prices can't go on.

I would say that when you create that choice you're moving not only in an environmentally sensitive way forward, but you're also moving in a way in which consumers will have choice, and their environmental concerns can be dealt with with their choices on what kind of vehicle they would operate.

1140

The issue is also promoting local businesses, and local businesses with the drive to move towards alternative fuels for vehicles is important. But I have to say that it takes a government willing to do that. It takes a government that's willing to move in that direction. People look to their governments to lead the way, and I believe that's what we should do.

Unlike the situation where we've had the investigation into gas pricing, not one consumer was considered in that investigation at the federal level. Not one consumer made a presentation. We're talking about consumers and consumption and lessening our dependence on foreign sources; what it means to have a cleaner environment; promoting small business in this province; what is right; and also choice, consumer choice. I believe this resolution to be a good one.

Mr Bernard Grandmaître (Ottawa East): I think the members' session is ending on the right note. When you look at the two motions this morning, the first one introduced by the member for St Catharines and this one from the member for Kitchener-Wilmot, I think we're ending on the right note.

A great deal of progress has been made in the last five or 10 years. I think engine manufacturers are continually improving not only the size but the efficiency of our vehicles or engines and we have a long way to go.

This motion will provide us with an opportunity to improve our environment. Financially, it could be negative, like some of the members were when they talked to Mr Bradley's motion. I would have preferred a bill, a government bill, and not only to say, "Review the feasibility and where possible implement the systematic conversion of government vehicles to natural gas"; I would have preferred a government bill to say: "Yes, we are committed. Yes, we will do it."

I agree with the member for Kitchener-Wilmot that we have to start somewhere. I will certainly support his motion because I think this is the way to go. Natural gas is the way to go. It's the cleanest fuel on the market today. Possibly ethanol will be on the market very shortly and I will be supporting—

Mr Randy R. Hope (Chatham-Kent): When the feds do something—

Mr Grandmaître: Well, you see, again as long as the feds are doing something. Why don't you do something about it instead of criticizing? Instead of criticizing, they should be doing something.

I will support this motion because it makes a whole lot of sense.

Mr Leo Jordan (Lanark-Renfrew): I'm pleased to rise this morning and speak a short time on this resolution by the member for Kitchener-Wilmot. Its main thrust, to me, is that the member is thinking in the right direction. He is trying to find ways to save money for this government, because we know the debt that is facing us here in the province of Ontario. If the member feels that this transfer of all government units to natural gas is going to bring in a major saving to the government, I certainly understand his bringing it forward. However, I have concerns in that here we are, all ready to go and switch all of our fleet of the Ontario government without putting forward some of the studies that have been done on other types of energy for transportation.

I would just like to draw the member's attention to his own resolution. He says, "We must use the principles of sustainable development by promoting the wise and efficient use of energy." This is what I've been saying for a long time regarding our own source of energy here with Ontario Hydro, that we should be promoting the wise and efficient use of energy, not trying to come out with a negative approach.

We've got many reports here on the electric car. It's reached the stage now that it can go 160 kilometres at 100 kilometres an hour. It takes five hours to recharge the batteries. There's more research going on on the batteries at all times. The state of California has certainly decided that this is the way it's going to reduce its emissions in the next five years, through the electric car. General Motors is already setting up a special plant to not only improve and produce that car along with Ford but to have the parts for it. Metro Toronto, in conjunction with the federal government, is testing the electric minivan here as a test run over the next 30 months to try and decide what it should do with its fleet.

Rather than just jump into this, I'm saying to the member, I think we need to study it a little more.

Mr Derek Fletcher (Guelph): I'm very pleased to rise and support my colleague the member for Kitchener-Wilmot, Mr Cooper, on this resolution. When I read the resolution, that in the opinion of this House the number one concern of this government is job creation, let me tell you, in Guelph job creation has also been our number one priority. Jobs Ontario is flowing in Guelph. The unemployment rate in our area is about 5%, the lowest in the country. Why? Because of the initiatives of this government, not some pie-in-the-sky stuff about, "We'll cut your taxes. Vote for me and we'll create jobs. That's how we'll do it," not that but a systematic approach to job creation.

When I look at the second part of this resolution, "reducing government operating costs," not by slashing government services but by preserving government services, that's what this government has been able to do. Again, I have to applaud the member for Kitchener-

Wilmot, who has been able to present a resolution in such a way that he not only captures the spirit of what this government is doing, but also is promoting what this government is doing in a systematic way of job creation, and reducing government costs but preserving services—not slash and burn, as the Conservatives are talking about. The Liberals won't even do anything about it anyway.

“Economic renewal depends upon high value added manufacturing, export success....” Let me read what it says from this little book the member gave me, “The growing NGV industry in Ontario now employs about 2,000 people in equipment/vehicle manufacture, installation, maintenance service, research and development,” and much of this is exported business. I think the member for Kitchener-Wilmot has hit upon a solution, one of the solutions, one of our programs that can work as far as economic renewal is concerned.

When I look at the next part of the resolution, “We must use the principles of sustainable development,” that's an approach that, as far as I can see, is probably the most sensible, systematic way of approaching what this government is trying to do. It is not a politician coming up saying: “Vote for me. I'll cut your taxes 30%.” That's dumb. That'll never work. We have to have an approach that is going to be sustainable development, and the member for Kitchener-Wilmot has captured the spirit of what this government has been doing for the last four years. It is working. The plan of this government is not only working; we are seeing all the development of job creation, very unemployment and services being maintained.

I applaud the member for Kitchener-Wilmot and I'm very pleased to be able to stand here in the House and support his resolution today.

1150

Mr Allan K. McLean (Simcoe East): For the short time I've got, I want to put a few things on the record. It was back some years ago when the government brought in a \$1,200 reduction for propane. It was about a few years later after that, when the Liberals were in power, that they came along and taxed that. Now I wonder, if the Liberals got back in power again, would they want to tax natural gas? They probably would.

I want to say there is a GM electric car that's now being promoted, so we have a lot of clean fuels that are going to be produced in this province, and natural gas is one of them.

I think it's important that this resolution come before this Legislature to have a debate on such an important issue. When we look at the federal government initiatives with regard to natural gas, they are few. They don't want to help. The federal government wants to leave it up to the province of Ontario to promote this. When it looks at the taxes that it's collecting and revenues from the gas wells in the west, the federal government gets its funds from there.

I commend the member for bringing this resolution forward so that we could have some debate on the natural gas issue, and it gives us the opportunity to talk about the

electric cars that are going to come in the near future, because that's going to be the way. Metropolitan Toronto's even getting funding to do a study on electric.

Mr Pat Hayes (Essex-Kent): I've very pleased to be up here today to support my colleague and friend the member for Kitchener-Wilmot. One of the things, when you talk about using natural gas, is that everybody will benefit. Everyone will benefit on this because it is an economical fuel that saves money. It helps us to improve and preserve our environment and it's the same safe fuel that heats your homes and your businesses.

I'm very pleased to be up here to support this resolution and I also would like to make some comments in regard to ethanol. The bifuel vehicles, for example, offer the practical advantage of extended total range and the ability to revert to gasoline if you run low on natural gas. But at the same time, you can also use ethanol in that other tank when you convert back from the natural gas. Both of those fuels certainly complement the environment and they're environmentally friendly.

On the subject of ethanol, I'm very pleased and very proud to be a member of a government that has taken the initiative to not only support but also to promote the use of ethanol in this province. Not only is this initiative environmentally friendly, but it creates jobs, and it creates jobs in rural Ontario and also in urban Ontario.

One of the things that I want to mention today with my colleague the member for Chatham-Kent here is that as people use more natural gas in their vehicles, it also helps promote our community down in Chatham and Kent county because that's where Union Gas's headquarters is now. If we can get the federal government to follow suit like this province has—we exempted the tax on ethanol for 15 years and also gave the ethanol consortium \$5 million to get started—if we could have the federal government today follow the example of the provincial NDP government, then we'll be getting somewhere. Not only does this clean the environment, it also creates jobs, and many jobs which are much needed in our community. Also, it will help the farmers and many small businesses and other people. There's nothing better than cleaning up the environment and also creating jobs at the same time.

One very, very important point in this resolution that the member for Kitchener-Wilmot talked about is, “We must preserve our environment for future generations,” and that is what he is doing with this resolution.

The Acting Speaker: Is there further debate on this motion? The member for Durham West.

Mr Jim Wiseman (Durham West): I am also the parliamentary assistant to the Chair of Management Board and, in that capacity, I'd like to speak for a minute or two, I guess, on this resolution because I believe wholeheartedly that it's a good resolution.

At Management Board, we have been involved extensively for some years now in recycling, making sure that the government is green, that we're using non-bleached recycled paper, post-consumer waste. We have created composting technology at the Ontario Science Centre where all of the institutions in the Metro area can send

their food scraps to be composted.

We have worked hard to create a green workplace. If you look around, you can see all of the containers. We're recycling toner cartridges, just for an example. In fact, in my riding we have a small business that recycles and refurbishes toner cartridges. This is a move in the right direction. The green workplace is definitely here.

We also have at Management Board a Build Green program which is to encourage, within the Metropolitan Toronto area and the province of Ontario, that new buildings that would be built by Management Board would be done to a green design, that insulation from there would come from glass, which would be manufactured in Ontario, in the Ottawa area. We have wood that is recycled and cleaned. The Greater Toronto Home Builders' Association has been participating in this Build Green program.

We even have instituted a green curriculum program where we get students in the high schools to enter into a contest to make sure that they understand green. They have come forward with some very creative ideas.

When I look at this resolution, I can simply say that the next logical extension from Management Board would be to start the Drive Green program. The Drive Green program would mean the change from petroleum products to natural gas products in the vehicles of the government of Ontario, and that would also help us save money.

The Acting Speaker: Is there any further debate? The member for Kitchener-Wilmot has two minutes to respond.

Mr Cooper: I'd like to first thank all of the members of the House who participated on this and who will be supporting it: the members for Ottawa East, Lanark-Renfrew, S-D-G & East Grenville, Norfolk, Guelph, Essex-Kent, Durham West, and also the member for Nepean, who I'll respond to, and the member for Dufferin-Peel, who I'll respond to.

One of the big things here is that we have to lead by example. I think it was already stated—

Mr McLean: Simcoe East.

Mr Cooper: S-D-G & East Grenville; I said that.

Mr McLean: No, Simcoe East.

Ms Cooper: Simcoe East. Sorry about that. My apologies, but I only have a few minutes, and obviously we needed more time to debate this.

This government is leading by example because, as it was stated earlier, the Minister of Environment and Energy is driving a natural-gas-powered vehicle. It's not a limousine, but it is a very nice car and it drives well. I've talked to the driver of the vehicle, who reports that driving a natural gas vehicle is no different than driving a gasoline-powered vehicle.

But one of the big things that I want to respond to here is, why am I promoting the use of natural gas? The point is that we have breakthrough technology in the field of natural gas vehicles and what we've got to do is encourage this. As it was stated, most of this technology is exportable. We want to encourage this business to develop here in the province of Ontario where we have

leading-edge technology that's not available anywhere else in the world.

To the member for Nepean, I haven't given up on motorcycles and I have talked to the Treasurer, who has stated there is progress coming in the field of motorcycle insurance. That is one thing. But the one thing is, I also did a resolution on motorcycles, at the beginning of the term of this government, which also promoted the wise and efficient use of our fossil fuels. Motorcycles use less and they take up less parking space and they're environmentally conscious. This is a follow-through on what I was talking about.

All members have been talking about electric vehicles and ethanol and things like that. Yes, we do promote that. I'm not asking for the total conversion. That's why it says "systematic conversion," so where it's feasible you'd bring in natural gas vehicles.

The Acting Speaker: The time provided for private members' public business has expired.

VEHICLE EMISSION TESTING

The Acting Speaker (Ms Margaret H. Harrington): We will first deal with ballot item number 75 standing in the name of Mr Bradley. If there are any members opposed to a vote on this ballot item, will they please rise.

Is it the pleasure of the House that this motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the nays have it.

Call in the members. This is up to a five-minute bell.

The division bells rang from 1201 to 1206.

The Acting Speaker: Order. Will all members take their seats.

All those in favour of the motion will please rise and remain standing until recognized by the clerk.

Ayes

Beer, Bradley, Brown, Callahan, Carter, Crozier, Cunningham, Curling, Daigeler, Fawcett, Frankford, Grandmaître, Hansen, Hayes, Jackson, Jamison, Johnson (Don Mills), Jordan, Kormos, MacKinnon, Malkowski, McClelland, McLean, Miclash, Morrow, Murdock (Sudbury), Murphy, O'Connor, Offer, Perruzza, Poole, Sterling, Sutherland, Tilson, Turnbull, Witmer.

The Acting Speaker: All those opposed to Mr Bradley's motion will please rise and be recognized by the clerk.

Nays

Bisson, Cooper, Fletcher, Gigantes, Hodgson, Hope, Lessard, Mathysen, Martin, Mills, Murdoch (Grey-Owen Sound), Wilson (Kingston and The Islands), Wood.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 36, the nays 13.

The Acting Speaker: I declare this motion carried.

NATURAL GAS VEHICLES

The Acting Speaker (Ms Margaret H. Harrington): We will now deal with ballot item number 76 standing in the name of Mr Cooper.

Is it the pleasure of the House that Mr Cooper's motion carry? Carried.

All private members' business having been completed, I will now leave the chair and we will resume at 1:30.

The House recessed from 1209 to 1331.

MEMBERS' STATEMENTS

TAXATION

Mr Steven Offer (Mississauga North): Yesterday, the leader of the third party asked a question about tax reduction and the tax legacy of the NDP government and, indeed, the former Liberal government. I thought that it might be a good idea to look even further back, at the legacy left to us by the government Mike Harris was part of.

I went back to the Progressive Conservative budgets for 1981, 1982, 1983 and 1984, and guess what? I found 24 tax and fee increases, including expanding the provincial sales tax to trees, smoke alarms, household pets and 19 other things.

Interestingly enough, for the same Conservative years there are only two tax decreases, or "tax reductions" in the current lingo of the leader of the third party.

Let's count the tax reductions during the Liberal years. From 1985 to 1990 the Liberal government reduced taxes 26 times.

Now Mike Harris thinks tax reductions are a good thing.

But let's go back to those Conservative tax increases. Members of the Legislature must vote to approve the budget and the tax and fee increases included in it. I thought it would be interesting to look up who voted in favour of those budgets of 1981, 1982, 1983 and 1984.

In 1981, with the Progressive Conservatives voting in favour of the tax increases was a person by the name of Harris. As well, in 1982, 1983 and 1984, there he is again, a person by the last name of Harris.

I thought the leader of the third party will want to track this other Harris, this impostor, down. After all, this other Harris didn't miss a chance to vote for higher taxes and fees for Ontarians. Surely, the leader of the third party and this Harris character can't be one and the same person—or can they?

SPEECH-LANGUAGE SERVICES

Mr Cameron Jackson (Burlington South): On January 31, Joseph Brant Memorial Hospital in Burlington gave one week's notice to 120 families in active treatment and 90 families on a waiting list that it was terminating their speech-language pathology services for preschool children.

These families were told their main alternative was to continue with the same therapist but at a private rate of \$80 per hour—quite unaffordable for most families.

On May 2, I asked the Health minister to undertake a review—still no action. On September 13, I asked the social services minister to confirm which ministry assumes lead responsibility for these children—still no action. Yesterday at Queen's Park, Parents Advocating for Language and Speech, PALS, a group concerned with the erosion of speech-language services, brought a

petition with more than 2,000 signatures calling on Ruth Grier to maintain accessibility to these services without paying user fees.

When the Education minister is funding second- and third-language programs at a cost of millions of tax dollars, parents ask why another minister would sit by idly while preschool children cannot access this vital health service to learn their first language because their parents are forced to pay user fees.

Today, I call again on Ruth Grier to make good on her May 2 promise to investigate and restore this essential children's health service. She will know that one in 10 children experiences some form of language difficulty. Speech therapy should not be delayed since it is most effective with early identification and intervention. Without the early investment in our children, the cost to our society will be much greater in the future.

HAZARDOUS WASTE

Mr Ron Hansen (Lincoln): Let's talk about toxic waste. It's been a nightmare for the people of west Lincoln since 1985. It's been a decade since the Ontario Waste Management Corp chose west Lincoln as a site for its proposed toxic waste treatment facility.

Two weeks ago, the consolidated hearings board rejected the OWMC's proposal, and the thousands of people who opposed OWMC's toxic monster thought the battle was finally over. The battle has just begun. Rumour has it that the OWMC will appeal the board's decision. If this happens, the Ontario cabinet will have the final say on OWMC's proposal.

I call on the cabinet members to reject outright the appeal by the OWMC. Why? Because the people of west Lincoln do not want a toxic waste treatment plan in their backyard. They believe it is not needed. They believe that Ontario can best deal with its toxic waste problem by forcing industry to reduce toxic wastes through recycling and by embracing new Canadian technologies that would allow industry to treat toxic waste onsite.

Cabinet must put an end to west Lincoln's suffering once and for all: First by rejecting any appeal by OWMC and, second, by forcing OWMC to give up its option on the land that was to be used for its proposed facility. They must listen to the people of west Lincoln.

I cannot emphasize enough the importance of killing OWMC's proposal. Read my lips: no new toxic waste plants in Lincoln.

LEADER OF THE THIRD PARTY

Mr Tim Murphy (St George-St David): Today, we want to salute the advisers to Mike Harris who are trying to help turn him into Newt Gingrich, the government of Ontario, the 51st state in the Union.

We see, on the one hand, Tom Long, one-time party president and leadership contender, who reputedly was the adviser who got Frank Miller to say on that ill-fated day, "I am the Ronald Reagan of Ontario." Tom Long, the former Mulroney aide, is a great admirer of the policies of Margaret Thatcher and Ronald Reagan. In fact, when Long was running the show at the Conservative campus association he had a jar of jelly beans to munch on, just like Mr Reagan.

We also see the new Tory adviser, Mike Murphy, the Republican dirty tricks consultant, the master of negative advertising, who almost took Ollie North, a convicted liar and thief, to the US Senate. These two had a plan: Turn a down-home golf pro and teacher into the consummate actor, able to shift shapes, images and convictions at a whim, depending on the circumstances and the audience he's talking to.

He has reversed his position on user fees. Once for them, he's running radio ads against them. In the last Conservative government, Mike Harris never found a tax increase he couldn't vote for. Now he says he's against all the taxes he voted for.

Mike Harris has gone from just being another Conservative to being the Taxfighter to Mike the Knife to the Bleeder, a sensitive, new-age guy for the 1990s, sort of a Mr Spock with feelings, a Data with emotions. Well, in the next election I expect the voters to beam him down.

ACADEMIC STREAMING

Mrs Dianne Cunningham (London North): London teachers have given destreaming a failing grade, stating that it frustrates students, lowers self-esteem and pushes more youths through the cracks of the education system.

The Ontario Secondary School Teachers' Federation conducted a province-wide survey which illustrates that 80% of its teachers do not support the destreaming process. The teachers were asked a number of questions and the results were included in a report that concluded: There have not been enough support services; destreaming has reduced the opportunity to help individual students; it has reduced the ability to challenge stronger students; students' self-esteem hasn't improved and frustration has increased; classroom management is more difficult.

According to Bill Brooks, president of the London branch of the teachers' union, "...the better students aren't challenged, the weaker students don't get the help they need and in trying to please everyone, few are pleased."

Minister, I believe that all students, no matter what level of learning they are at, deserve to be challenged in the classroom. We support excellence in education for our young people, not mediocrity.

In my role as critic for Education and Training, I have been discussing this issue with students and teachers from across the province for over a year. Both criticize the lack of opportunities for students with learning difficulties, students with literacy challenges and students with special program needs. What we should be focusing on, Mr Minister, are programs, including technical and cooperative, that lead to jobs for students.

Your Common Curriculum document and your destreaming policy do not support excellent job training for students and do not support excellence for entrance into our colleges and universities either.

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DOMINIC CARDILLO

Mr Mike Cooper (Kitchener-Wilmot): I rise today to pay tribute to Dominic Cardillo, who retired as the mayor of the city of Kitchener.

Dom Cardillo served 32 years in municipal govern-

ment, and throughout those 32 years he maintained this basic philosophy: "How can I help this city?" His focus was on quality of life and, "How can I help make this city truly user-friendly?" Dom was totally committed to the community and to serving the people of Kitchener.

I would like to mention a few things that have taken place during Dom's tenure at the municipal level: improved recreational facilities; relocation and construction of a new city hall; additional parkland in the Chippewee area; funding for industrial lands; efforts to assist the Working Centre of Kitchener; and expansion of Kitchener Memorial Auditorium.

Dom Cardillo entered municipal politics because he likes people. He is truly a people person. He believed in putting people first. Their needs, concerns and basically just how they were doing was very important to Dom Cardillo.

If Dom said he would do this or that or talk to a certain person, he did what he said he would. He was reliable and consistent. It may have taken a couple of months, but he followed through on his commitments.

To most people in the city of Kitchener and to visitors to the city, Dom was also known by another feature. Most who met Dom received either a city pin or pen, and sometimes both.

To Dom I would like to say that on behalf of the city of Kitchener, we wish you well on retirement. We thank you for your 32 years of commitment to the city of Kitchener, and henceforth in Kitchener, BC will be Before Cardillo and AD will be After Dom.

To Mayor Christy I say congratulations. I wish you well and look forward to opportunities where we can work together for the city of Kitchener. To Gary Leadston, Carl Zehr and Will Ferguson, who all served the community well, I wish them well also.

TOP 10 LIST

Mr Steven W. Mahoney (Mississauga West): On what could be the last sitting day of this government in the Legislature, I have here in my hand, from the home city in Mississauga, the top 10 list of NDP government firsts:

(10) The first cabinet minister to appear as a Sunshine Boy. Peter Kormos no doubt ranks as one of the most talked-about, if not one of the best-looking, Sunshine Boys ever.

(9) The first cabinet downsizing to result in a larger cabinet. They went from a cabinet of 25 to a cabinet of 27 ministers, supported by 31 parliamentary assistants, an amazing feat of streamlining.

(8) The first campaign manager to be appointed secretary to cabinet.

(7) The first time the auditor refused to sign off the government's books, and the first government to keep two sets.

(6) The first casualty of the information highway: John Piper caught leaking information to smear a member of the public.

(5) The first investment in a Peruvian utility by Ontario Hydro. But don't worry, folks, this will not be

the last foreign investment Hydro makes if Chairman Mo of the Jungle has his way.

(4) First half-million-dollar sabbatical for a political backroomer: Robin Sears, the most expensive exile since King Faroukh.

(3) The first minister to resign twice.

(2) The first minister to refuse to resign twice but finally relent and quit the cabinet.

And my personal favourite:

(1) The first minister to take a lie detector test to prove that indeed she did lie.

LANDFILL

Mr Chris Hodgson (Victoria-Haliburton): For those who may not be aware, there is a smaller version of the IWA landfill site selection process going on in Victoria county. The process, which began in 1989, is not expected, in the most optimistic view, to be a functional landfill for another three to four years. As it currently stands, residents around five short-listed sites have had to put their lives on hold while this bureaucratic nightmare unfolds around them. They can't sell their properties. Potential new residents are turning away and looking elsewhere.

Designating possible sites and then effectively freezing development around them for nearly a decade is unconscionable, unfair and is simply a way for the provincial government to throw a political hot potato into the hands of municipal politicians.

What you've effectively done is created a never-ending make-work project for consultants. By setting rigid, non-negotiable guidelines that apply no matter where you live in this province, you have eliminated commonsense proposals from people who know what will work best in their communities. The flexibility to respond to local circumstances is absent from the whole process.

High tipping fees are forcing millions of tonnes of Ontario garbage to the United States.

This government is still determined to bury waste in agricultural land, the very land that sustains crops and farm animals that feed the people of this province.

My message to the provincial government is this: The field of knowledge about waste management has surpassed your ideological crusade to simply bury things out of sight and out of mind. It's time to open up the process. Let the people see all the facts, not just the ones that support your outdated mode of thinking.

ONWARD WILLOW CENTRE

Mr Derek Fletcher (Guelph): The Onward Willow Better Beginnings, Better Futures project continues to have very positive outcomes in the Willow Road neighbourhood, which was labelled in 1991 as Guelph's largest problem. The police have reported a dramatic reduction in vandalism and an increase in community involvement.

In fact, Paul Morant, a staff sergeant from Guelph police, said: "From my observation Onward Willow has had a very positive input, that particular area, in the way of police-related calls was a very busy area, and those calls have dropped dramatically. From my observations Onward Willow has allowed the people living there to

share and build in their future rather than just being occupants...."

Another person said: "The Wellington-Guelph Housing Authority reports a dramatic increase in housing residents taking a more active role in community building, cooperation with the housing authority on the tenant advisory committee and there has also been a reduction in complaints of vandalism.

"The project has assisted a number of young offenders placed by the John Howard Society to return to school and to participate in community activities. Keeping one adolescent of a young offender out of a...facility saves the taxpayer over \$100,000 per year.

"The principal of the primary school in the neighbourhood reports that fewer children are going to school hungry. This has come about because families have access to bread and other food staples donated by neighbourhood stores from their unsold stock....

"The community mental health clinic reports that the support provided to adolescent women who have been abused is resulting in many of the women seeking professional help and making positive changes in their lifestyle.

"These various outcomes are cost-effective not only in dollars but lead to better parenting and more adjusted children."

LEGISLATIVE PAGES

The Speaker (Hon David Warner): I invite all members to join me in showing appreciation to the pages who have served this chamber and the members so exceedingly well during the past several weeks. Will the members please show their appreciation to the pages.

Applause.

The Speaker: The Minister of Citizenship.

Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations): I seek unanimous consent to mark International Human Rights Day.

The Speaker: Do we have unanimous consent? Agreed.

INTERNATIONAL HUMAN RIGHTS DAY

Hon Elaine Ziemba (Minister of Citizenship and Minister Responsible for Human Rights, Disability Issues, Seniors' Issues and Race Relations): It gives me great pleasure to rise today in honour of International Human Rights Day, which will be celebrated on December 10. Nearly half a century ago, the members of the United Nations adopted the Universal Declaration on Human Rights. The United Nations had just been formed. A long and agonizing world war had finally drawn to a close. The world for many was again a place of hope, and the members of the United Nations moved, in their wisdom, to construct a fundamental pillar of civilized society—a declaration of human rights.

That was some 46 years ago, in 1948. To this day it is a document that should inspire and challenge us all. The declaration recognizes the inherent dignity and the equal rights of all members of the human family. It notes that

the advent of a world in which human beings shall enjoy freedom of speech and belief—and freedom from fear and want—has been proclaimed as the highest aspiration of a common people, and it proceeds to proclaim fundamental human rights that we all hold close to our heart.

It is a substantial document, of course, one that we should reread regularly. It stands as a measure of our successes and our future challenges in ensuring the dignity and equality of all members of the human family.

The world remains a very troubled place. The magnitude of difficulties facing some people of the world should make us feel thankful for our relative security and prosperity in this province, but we can never afford to lapse into complacency when it comes to protecting the freedoms, rights and opportunities of all women, men and children.

Here in Ontario we still have a way to go to building a society free of barriers for all people in this province. Examples of acts of hate activities still exist in Ontario. In fact this week, we saw that three businesses in North York were defaced simply because the owners of those particular businesses were members of a group, of the Jewish family. But we have also seen in my own riding some acts of hate as well, hate against teachers who work in our school system who are trying to provide education to all our young people. At Humberstone we all are very upset about this particular type of occurrence.

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That is why this government is working with the people of this province to identify and dismantle barriers to our full social and economic development, as individuals and as a society.

The government of Ontario is advancing its equity agenda on a number of fronts. I'd like to share a brief overview of some of these initiatives.

In the human rights area, we are taking active steps to protect and promote human rights in the province of Ontario. We recognize that the protection of human rights requires effective and efficient administrative operations, and the Ontario Human Rights Commission has taken a series of steps to improve such operations.

As a result of a new case-management strategy, the number of cases pending investigation was reduced from 924 cases, which was 45% of the caseload, in March of this year to only 352 cases, which is 15% of the caseload, in September.

As of October 31, 1994, just 208 cases, the lowest number in five years, had been on file with the commission for more than three years. By way of comparison, at the same time last year the commission had 332 cases over three years old.

The number of cases formally closed by the commission between April and October of this year increased by 85% over formal closings in the same period in 1993.

The Employment Equity Act, which took effect on September 1 of this year, will help ensure that workplaces in Ontario provide equitable recruitment, treatment, training and promotion to all employees. It specifically calls for employers to identify and remove barriers to employment for members of four designated groups, namely ab-

original people, people with disabilities, members of racial minorities and women.

The Employment Equity Commission, headed by Juanita Westmoreland-Traoré, is providing employers, unions and employees with the information and support they need to make employment equity integral to the way they do business.

The Advocacy Act will undoubtedly stand as one of Ontario's most important initiatives undertaken for vulnerable adults. The act is designed to build bridges to independence for vulnerable adults who have difficulty expressing or acting on their wishes and to help them assert their rights and autonomy and to participate in making decisions about their lives.

Along with the Substitute Decisions Act and the Consent to Treatment Act, the Advocacy Act is rooted in the idea that personal autonomy, the freedom to make choices and decisions, is a fundamental human right.

This government has undertaken a number of initiatives to ensure the protection of human rights and equitable treatment for persons with disabilities. Allow me to provide some examples of how we are working towards a barrier-free society.

In 1994-95, the Ministry of Education and Training has provided more than \$11 million to help colleges and universities provide services to persons with disabilities.

Under the Jobs Ontario Capital program, this government has provided \$10 million to help post-secondary institutions improve access and services for persons with disabilities.

Under initiatives scheduled by the Ministry of Transportation, 13 GO Transit stations are to be fully accessible by next spring. As well, new and key existing subway stations in Metro Toronto will be made fully accessible.

Persons with disabilities will enjoy improved access to 15 provincial parks, thanks to \$1 million in funding provided this year by the Ministry of Natural Resources.

The Ministry of Municipal Affairs has supported the development of an accessible waterfront trail stretching from the Trent River to Burlington Bay. Some 275 kilometres long, the trail is to open to the public next spring.

The Ontario government has spent \$38 million in the past five years to improve access to its buildings and facilities.

Since 1990, more than 650 community groups have received a total of \$18.6 million from the Ministry of Citizenship's access fund to make their facilities more accessible to persons with disabilities and senior citizens.

As well, the Ministry of Citizenship has engaged in systemic and strategic cross-ministry initiatives to improve access for people with learning disabilities. We also have developed an implementation plan with the ministries of Education and Training and of Community and Social Services in response to the report on the status of oral interpreting services in Ontario.

Finally, a private member's bill introduced by my colleague Gary Malkowski has been debated this week in

the standing committee on justice, and this bill is to help improve the equitable treatment for persons with disabilities. Bill 168 has provided opportunities for all of us to have vital discussion, dialogue and debate, and we'll continue to have that dialogue and debate, I understand, on how Ontario should move toward becoming a truly barrier-free society.

We are fulfilling our commitment to combat racism and ensure that all Ontarians have equitable opportunities to contribute to our social and economic strength. The Ontario Anti-Racism Secretariat in the Ministry of Citizenship is leading the government's anti-racism agenda through its work in community coalition building and economic development, public education and support for other ministries' activities.

The Cabinet Round Table on Anti-Racism is another example of the government's commitment to community dialogue in combating racism. The round table, which brings together cabinet ministers and members of racial minority communities to share information and to work together to address obstacles, held its fourth meeting on November 28. A variety of important initiatives and issues were discussed at the round table, including a range of government-wide non-legislative antihate initiatives. If I might add, I think that is an extremely important and vital dialogue we are having in our communities at this particular time.

Our access to professions and trades unit is working in partnership with community groups, professional bodies and other ministries to accelerate the processes by which newcomers earn accreditation to practise their trades and professions in Ontario.

The examples I've just provided show that this government is taking active steps to identify and eliminate barriers to the full participation of all Ontarians in our cultural, social and economic systems. We are working on many fronts to ensure the inherent dignity and the equal rights of all members of the human family. We must always remember that our ability to respect one another is one of the most telling marks of our decency and our humanity, and we should join hands in a range of vigorous and active steps to create a barrier-free society for all Ontarians.

I'm confident that all members of the House will join me in a salute to all the people of Ontario on December 10, International Human Rights Day.

Mr Alvin Curling (Scarborough North): I too join with the minister in recognizing International Human Rights Day which, as was stated, marks the 46th anniversary of the United Nations Declaration of Human Rights. Yes, 46 years have passed since the United Nations proclaimed December 10 as International Human Rights Day, and the week of December 5-11 as the week when we should all reflect on what we are doing individually and collectively to ensure that human rights are enjoyed by all people in Ontario or anywhere else in the world.

"International human rights" makes us automatically think of somewhere outside the borders of Ontario, outside the borders of Canada, and not here at home, as soon as we hear about human rights abuses. We live on a continent that accepts more diverse immigrants than

anywhere else in the world. People come here with different ethnic, racial and religious compositions. We are constantly redefining who we are collectively as Canadians. We are a nation made up of people from all continents that have joined the native people who were here originally, our original inhabitants. The native people of Ontario and of Canada, we know, deserve the respect of all people in recognizing their culture.

What has happened is that we select what we want to see and we select what we want to hear just to satisfy our conscience that we're doing enough for human rights, but unfortunately what we're also seeing around the world and at home are new terms of racism, reinforcing the kind of status quo of superiority of one culture, race or religion over another. We hear phrases like "ethnic cleansing" and other phrases like it that tell us one race is superior over the other.

1400

In Ontario, we may not see the degree of human rights violations that are suffered in some other parts of the world, and for this we should be grateful, but we are far from resting on our laurels, as much more work needs to be accomplished, as the minister stated. Discrimination exists in Ontario. It exists, and the case backlog at the Ontario Human Rights Commission is evidence of this.

We must also fight against the systemic discrimination that exists, and in working at this, examine the institutions in which we live to see how we can make the society we live in more tolerable, accepting and open to all.

In recognizing International Human Rights Day, it is important to remember that achieving human rights is a process we must all be committed to, and that human rights not only include racial lines but also the collective rights of the disabled. We must also recognize that for many in the disabled community, their rights here in Ontario are breached every day when fair accommodation to their needs is ignored.

Forty-five years ago, the United Nations saw the need to pass a Universal Declaration on Human Rights for countries to use as a benchmark. Some have done better than others, but I hope we will all reflect on what we can do to help human rights be enjoyed by all.

In my riding, we have seen a transformation of different ethnic groups. As a matter of fact, almost 40% are from east Asian countries. Therefore, we have to re-examine ourselves, as I stated earlier, of who we are as Scarboroughites, Ontarians or Canadians. It is that re-examination that makes us a great nation.

But we have seen here, in one of the highest forums of democracy, the Legislature, the denial of proper debate on some of the issues that touch many of us hard, many of our concerns. That is one of the frustrations of democracy. We hope in the next Parliament, today being the last day, when we form the next Parliament, regardless of what party it is, that expressive worth is given to parliamentarians to talk about some of those violations of rights. It is very frustrating, especially for myself, who faces some sort of discrimination each day.

We in this Parliament are vigilant, I know, in some

respects, in seeing that equity is being appreciated, but somehow when we look at the bureaucratic structure we have in our province, there is a tremendous amount of frustration, especially in the public service. They have been expressing to me daily that employment equity in the public service is not working. I appeal to the government, the minister and the opposition to be more vigilant that equity is being addressed in that region.

As I mentioned earlier, cases in the Human Rights Commission are backlogged, not because of incompetence on the part of the Human Rights Commission but because of the lack of resources given to that commission. We have to have the political will to see that it can work, because it is not working.

The courts continue to be backlogged; people are waiting for justice. Their rights are being denied, because justice delayed is justice denied.

I say to you, Mr Speaker, and to my colleagues, that though we mark another International Human Rights Day, to say it's 45 years, if we look around the world, in the sense of Bosnia, Somalia, South Africa and all over the world where we see human rights violations, and in China, as a matter of fact, we've thought the economic situation is much more important than human rights, we have to balance that. We see a trend of many of us going to China, yet human rights violations do exist there. In Mexico, they continue to have a high rate of human rights violations. In Haiti, we continue to have that, and all over the world.

As we deal with the situation in a domestic forum or a local forum, we have an impact internationally. So again we look forward to another year where we are just as vigilant in addressing the violation of human rights here and abroad.

Mr Michael D. Harris (Nipissing): I too would like to join other members of the Legislature today in acknowledging the 46th anniversary of the Universal Declaration on Human Rights adopted in 1948 by the United Nations.

On behalf of my party, I would like to say how deeply proud I am of our record, our collective record of achievement in this province on the issue of human rights. Ontario, under the leadership of Premier John Robarts, was the first jurisdiction in Canada to adopt a human rights code that was modelled on the United Nations declaration, and that was over 32 years ago.

Our party established the Human Rights Commission and through the Ministry of Citizenship opened our doors to thousands of new Canadians through the Ontario Welcome House program. Our record of human rights and economic opportunity made Ontario an exceptional place to live, work and raise a family. Millions of new Canadians chose our province over any other place on earth to call home.

So no individual, party or province has a monopoly on compassion, no individual or party or province holds a monopoly on support for the principles of human rights. We in this chamber all believe in democracy and in the right to self-determination. We all support the protection of an individual's right to safety of person.

In his most famous speech, Reverend Martin Luther King Jr said he had a dream that one day people would "not be judged by the colour of their skin, but by the content of their character." We all agree that every individual should be treated equally in the eyes of the law, in the job market, in the housing market, indeed in all of society, regardless of race, of religion, of gender, of ethnic origin. However, we can and we must strive to do better, to continue to move forward.

In that regard, I do want to address a few comments to all of us on the threat of political correctness as it relates to this issue of human rights. As I said, we all agree in this chamber on the importance of human rights. However, we do disagree, as is our right in a democratic and pluralistic society, on how best to protect, to preserve and to enhance those rights and freedoms.

I know the Premier believes in equality of outcome. I believe in equality of opportunity. The Premier and his caucus believe that laws should be passed to establish hiring quotas. The government may try to pass the system off as voluntary and talk about goals and timetables; nevertheless, when you are legally required to hire by race, colour, sex or other physical characteristics, that is a quota.

I, on the other hand, agree with the words of Martin Luther King. Everyone should "not be judged by the colour of their skin, but by the content of their character." No one should be denied an opportunity because of their colour, ethnic origin, religious beliefs or gender. That must include the young white male son of Estonian immigrants as much as the daughter of a third-generation Chinese or first-generation Somali. Each of these individuals should be hired on merit. They must be guaranteed an equal opportunity to compete based on merit.

Support, then, for equality of opportunity is hollow rhetoric unless you support efforts to enhance those opportunities. That means equal access to education, equal access to jobs, equal access to promotion opportunities and equal treatment under the law. It means no glass ceilings for women, no denial of access because of religious headgear, no quotas. Opportunity, like justice, should be blind.

The point I am making is that political correctness and the issue of human rights can sometimes lead to reverse discrimination. This new discrimination in and of itself creates new tensions and new frustrations in our multicultural society.

1410

While we are acknowledging the United Nations declaration on human rights and human rights day, I also want to touch on our own record, on the necessity of maintaining consistency as a signal to the rest of the world, for Ontario, Canada, is in fact held up to the rest of the world.

We've all listened to speeches in this chamber from politicians of every party on the issue of human rights. As leader of my party over the past four years, I'm sure I have made mistakes, but I have tried to be consistent: consistent from year to year, consistent in rural Ontario and in urban Ontario and, most importantly, consistent in

what I advocate in opposition and what I would do in government.

As we talk about human rights today, we can recall the emotions and feelings of 1989, when all of us in Canada were gripped by the scene of a lone student just outside Tiananmen Square, staring down the barrel of an army tank in China.

We all thought about the human rights of the students in the square and the millions of Chinese citizens that they symbolized. We watched to see what would happen after those tanks started to roll. Five years later, I see pictures of Bob Rae and Bob Nixon signing an agreement with the same Chinese government to purchase nuclear reactors from Canada.

I don't oppose trade with China, but I find it disappointing to see politicians who gave eloquent speeches about human rights in opposition now selling nuclear reactors to the same government that was on the other end of that tank gun in 1989, and not one word went out to the rest of the world that watches Ontario, not one word on human rights. I thought it was very important to touch on these issues as an illustration of how much we can still do, of how absolutely important it is for Ontario, watched by the rest of the world, to be consistent.

It is important that we all acknowledge and celebrate human rights day and the advances we have made as a province since the end of the Second World War on the issue of human rights. There is much more that could be done for individuals, though, in Ontario and around the world.

I believe the best way to advance human rights and dignity both at home and abroad is to provide an example that is consistent, credible, believable, and to provide greater opportunities. That opportunity doesn't come from words or politically correct phrases or interjections. It comes from education, protection under the law and economic advancement.

One of the best ways we can enhance opportunity in Ontario is to provide a strong economy, a fair justice system, an accessible health care system, excellence in education, equal and accessible to all. If we can focus on those priorities and bring common sense to government, we will continue to build and enhance individual opportunity, economic growth and human rights in Ontario. That's my goal.

I believe, regardless of our philosophical approach, it is the goal of every member of the House. We may differ on how to achieve the goal, but the continued commitment by all of us in this chamber to a better and a fairer society must be resolute.

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker: Perhaps you could help me with this. This is an anniversary, a one-year anniversary, and I was wondering if you had been able to determine whether the investigation has been concluded by the OPP into Jim Coyle and Richard Brennan, two members of the press gallery who last year brought this to your attention. It's one year later. It's their anniversary. I was wondering if you had determined whether they were innocent or guilty or what had happened.

The Speaker (Hon David Warner): The member is mistaken. I have not had any connection with the Ontario Provincial Police regarding an investigation which the member speaks of.

Mr Gary Malkowski (York East): On a point of privilege, Mr Speaker: I was very disturbed by the comments by the leader of the third party when he said that justice should be blind. I think that blind people would find that offensive. But what's more, he failed to mention people with disabilities. He didn't say one word about people with disabilities, and I guess that shows how the Common Sense Revolution works. I don't accept the language that he used. I feel it's offensive to the disabled community.

The Speaker: To the honourable member for York East, I appreciate the concerns which he brings to my attention. However, he does not have a point of privilege. There are certainly, or often, differences of opinion which are expressed in this chamber.

Mrs Barbara Sullivan (Halton Centre): On a point of order, Mr Speaker: I am asking for unanimous consent of the House to revert to ministerial statements to allow the Minister of Health to address nurse practitioners, the hospital reallocation formula, details of the catastrophic drug program—

The Speaker: Is there unanimous consent to revert to ministerial statements? I heard at least one negative voice.

Mr Malkowski: On a point of privilege, Mr Speaker: I'm just asking for your guidance. I'd like the leader of the third party to withdraw his statement when he said, "Justice should be blind." It's the same type of a statement as saying, "Falling on deaf ears." So I'd like him to withdraw the unparliamentary language.

The Speaker: As I stated earlier to the member, he does not have a point of privilege. However, as is the custom in the chamber if something is found to be offensive to another member, the first member has the opportunity to withdraw the remark if he or she chooses to do so. I now allow that opportunity to the honourable leader of the third party.

Mr Harris: Mr Speaker, I appreciate your ruling that it was not unparliamentary. If it offends anybody, though, I certainly withdraw it.

ORAL QUESTIONS

PHOTO-RADAR

Mr Sean G. Conway (Renfrew North): I have a question to the Minister of Transportation on one of my favourite subjects, photo-radar. When his colleague and seatmate, the loquacious, peripatetic, hyperactive former Minister of Transportation announced this pilot project in the summer of 1994, he indicated on behalf of the department and the government that this pilot project would be carefully assessed against clear safety criteria.

My question to the now Minister of Transportation is simply this: Will the Minister of Transportation today announce to this House or indicate to this House what specifically are the safety criteria by means of which the photo-radar pilot project will be assessed at the end of its tenure?

Hon Mike Farnan (Minister of Transportation): The member is quite correct: Safety is the key issue of this government in making these roads the safest in North America. What I would suggest to the member is that clearly we want to see a reduction in speed. We want to see a conformity of motorists to the speed limits that are posted. We know and we believe that there will be a correlation between reduced speed and fatal accidents and accidents in general. I'm sure the member will join us in our efforts to ensure that the roads of Ontario are indeed the safest in North America.

1420

Mr Conway: I'm not surprised that the now Minister of Transportation says that his criteria are a hope and a prayer that things will get better.

Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs): That's not what he said.

Mr Conway: That's exactly what he said. When the program was announced earlier this summer, the government of the day, the then minister said there were specific criteria by which this program would be judged.

I'm not surprised to hear the minister's answer, because I had staff communicate to the two departments, Solicitor General and Transportation, trying to elicit from them what the criteria were. The department of the Solicitor General responsible for the OPP writes back a short time ago, saying: "We have no criteria. Check with the department of Transportation. It's their job." The Ministry of Transportation writes back to say: "No, we don't have any information. We have no criteria. Check with the department of the Solicitor General." It's the stuff of Abbott and Costello: Who's on first, what's on second and I don't know who's on third.

Minister, your seatmate said months ago there were specific safety criteria by means of which this project would be judged. It is clearly indicated in the government propaganda of the summer just passed. My question remains: What are the specific safety criteria by means of which your photo-radar pilot project will be judged?

Hon Mr Farnan: It boggles my mind that on the final day of the House this is where the official opposition goes. Let me put it very, very simply for the honourable member: Speed kills. When you speed you increase the potential for fatality and serious accident.

All of the research of other jurisdictions where these programs have been implemented clearly indicates that there has been a reduction in speed, there has been a reduction in fatalities, and the member will know that one out of six deaths on our highways is a result of speed.

I believe that all members of this House, in good faith, would want this government to act responsibly to provide a safe environment. I would say also to the member, you can approach the OPP and they will certainly provide you with details.

Mr Conway: I have the ministry documents. There are criteria. The sheriff of Hazzard county, Danny Waters, seems to know what some of the criteria are, but we have the now minister saying, "I never saw any criteria, I never signed any criteria." I've got government

documents from both departments involved saying: "Not I, master, not I. Check with my colleagues next door."

Surely the answer must be this: that the responsible minister for setting the criteria is truly neither the Solicitor General nor the Minister of Transportation but rather the Minister of Finance. Is not that the truth, Minister of Transportation, that the only definite criteria that the government has have been set by the Minister of Finance, who is quite clearly anxious and willing to pick the pockets of everyone, including Donner, Blitzen and Rudolph? Would you not agree that that's the only measure and the only set of criteria by which this project is going to be judged at the final analysis?

Hon Mr Farnan: Again I say to the member, the people who are responsible in greatest part for these measures are the people of Ontario, the public of Ontario, and this government is responding to the desires of the public of Ontario to have safe roads, something the former Liberal government never did.

I say to the member, I can go through every Liberal member sitting in this House and I can tell you what they want us to spend money on. The honourable member himself wants us to spend more money for road construction for a plowing match, spend more money for road construction, spend more money for culvert construction. The honourable member wants to spend, spend, spend.

Well, this government is not in that ballpark. We have responsible government, safety on the roads, and believe me, we will be happy—

The Speaker (Hon David Warner): Could the minister conclude his response, please.

Hon Mr Farnan: If we have to choose between raising a dollar and saving a life, we want to save that life.

The Speaker: New question.

Mr Conway: You know, Catholics are educated to appreciate mystery, but this—

Interjections.

VIOLENCE IN SPORT

Mr Sean G. Conway (Renfrew North): I want to say my second question is to the minister of—

Interjections.

The Speaker (Hon David Warner): Order.

Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs): I'm offended, Mr Speaker.

Interjections.

The Speaker: Achieving order seems to be a mystery too. The honourable member with his second question.

Mr Conway: If I had a criterion for every one of Gilles Pouliot's utterances, I'd be a rich man.

My second question is to the minister responsible for amateur sport and recreation and culture. The minister will know that she and I had a brief chat on Tuesday about a matter that I wish now to raise in this question period.

I want to ask the minister formally whether or not she's now aware of the following facts: that last weekend,

at a minor hockey tournament in suburban Ottawa, a hockey tournament for Atoms and Peewees—now, that's the age category 10, 11, 12 and 13, young boys—at that hockey tournament in suburban Ottawa last weekend, 10 coaches—10 coaches—were ejected, and one of those coaches has now been charged with common assault for beating up a referee. Is the minister responsible for recreation aware of the circumstances surrounding that Atom and Peewee tournament at the Merivale arena in suburban Ottawa last Saturday?

Hon Anne Swarbrick (Minister of Culture, Tourism and Recreation): Yes, I am well aware of what happened and I was certainly happy when the member brought it to my attention the other day. I'd like to inform the member I've also had the opportunity since that time to have discussions about this incident with the Ottawa District Minor Hockey Association as well as other hockey representatives.

I certainly share the member's great concern that this is a time when people are not only encouraging their young boys and girls to get involved in amateur hockey in Ontario, but also encouraging them to be involved in a way that means fair play and the reduction of violence in sport.

For that reason, I'm delighted that in spite of the economic constraints that our government has been under, we've continued to provide funding to the Hockey Development Centre for Ontario in the amount of \$600,000 per year, \$100,000 of which goes to the safety and risk management program. Many of the other dollars in fact go to the training and certification of coaches, particularly to train coaches to promote fair play and non-violence in sport.

I was also pleased this morning to participate personally in the new Milk Energy Penalty Free Sweepstakes, along with many other famous hockey players and hockey organizations. I was also very much pleased this morning to announce a new—

The Speaker: Could the minister conclude her reply, please.

Hon Ms Swarbrick: I was also very pleased this morning to announce a new \$15,000 grant to the Parks and Recreation Federation of Ontario to assist them, in addition to our earlier campaign—

The Speaker: Could the minister please conclude her reply.

Hon Ms Swarbrick: —“‘Settling the Score’ Won't Change the Score,” to assist them further with the work that they're doing to try and promote violence-free environments in recreation facilities—

The Speaker: Would the minister take her seat, please.

Mr Conway: What's going on here?

The Speaker: Supplementary.

Mr Conway: My supplementary—and again, this is a very serious question and I appreciate, as I think all members do, that we have a lot of very good people who are coaching and who are refereeing in minor sports. But I've got to tell you, I was in Ottawa on Monday listening to the reports from that minor hockey tournament: 10

coaches kicked out, one of them now charged with common assault, beating up on referees, throwing things at the referees. It sounded like rock 'em, sock 'em hockey at its worst.

I want to say to the government that I appreciate—

Hon Floyd Laughren (Deputy Premier and Minister of Finance): Like a Liberal caucus meeting.

Mr Conway: Well, I'm telling you, the parents—we have stood up in this House repeatedly and properly deploring violence, violence against a lot of people. I'm trying to focus on what these young kids, 10- and 11- and 12-year-old boys, are to make of this kind of situation where adults are beating up on referees and, on a routine basis apparently, pitching projectiles at the referees.

1430

The referee in question says he thinks it's getting worse, and my supplementary question is this: The government has applied a zero tolerance to violence in schools. Has the minister, in her discussions with the Ottawa District Minor Hockey Association and others across the province, made plain that the kind of rock 'em, sock 'em mayhem that led to this outrageous behaviour at the Merivale arena last weekend will not be tolerated and that zero tolerance may in fact be the policy, not just in schools and school yards but in hockey arenas, particularly where the games involve minors?

Hon Ms Swarbrick: I believe I went on at some length in indicating what this government is doing to promote non-violence in sport. I would, of course, say that the responsibility for acting on what has happened rests with the Hockey Development Centre for Ontario and with its amateur hockey organizations.

The alleged proponent of the incidents that happened in Nepean has of course been charged by the police. The other nine coaches involved have been suspended by the Ottawa district hockey organization, and I believe that speaks very clearly to their feelings about what happened. Further action by the Ottawa district hockey association must wait for the outcome of the charges to make sure that they don't adversely affect what's before the courts.

Mr Conway: I have in my hand the public accounts for 1993-94 and I see by reading the public accounts that last year this assembly voted \$642,485 to support the good works of the Hockey Development Centre, whose works include the training of coaches and referees in ways that I think many of us understand.

My final question is, given the fact that this Legislature has voted very substantial funds to support minor sports, and I think properly so, what specific direction have you given or will you give, not just to the Ottawa district hockey association but to other minor sports organizations, that the kind of outrageous behaviour that has been reported from that Atom and Peewee tournament last weekend in suburban Ottawa simply will not be tolerated by those of us who are expected to vote moneys to support the good works that, most of the time, these people do?

Hon Ms Swarbrick: I'm very pleased that the member has raised this question because I think it's an

opportunity for us to stress as a Legislature the kind of role-modelling that we expect from the coaches of Ontario's young boys and girls.

The member is quite right to point out that we do provide significant moneys from this Legislature to the Hockey Development Centre for Ontario and, through it, to the various hockey associations around the province, and we provided specifically for the kind of training that it provides to coaches to teach coaches about the kind of role-modelling we expect them to portray to their young boys and girls to eliminate violence in sport and to encourage fair play, and to act on the slogan we've been promoting in our posters through the schools of "Settling the Score" Won't Change the Score."

I'm delighted with the support from this Legislature for us to continue to send out that strong message for fair play and for good role-modelling to all of the coaches of Ontario's young boys and girls in hockey.

INTERNET

Mr Michael D. Harris (Nipissing): My question is to the Premier. Late last month, Premier, with great fanfare you announced that the Premier of Ontario had moved on to the information superhighway; you had your own mailbox on Internet. I wonder, Premier, if you can tell us how your journey has gone so far.

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): My journey's going very well, thank you very much.

Mr Harris: Premier, I've obtained a copy of a recent message allegedly sent under your new Internet address, which I'm sending over to you. To say the least, it is rather obscene.

As of 1 o'clock today, this message still appeared on the Internet system. Has your staff made you aware of its existence? If so, have you been able to determine how this message was sent through the system from the Premier's secured address?

Hon Mr Rae: I haven't had an opportunity to read this message. It obviously doesn't come from me. I think the leader of the third party would understand that, seeing the contents of it. It doesn't come from anyone on my staff. And so all I can say to the leader is that there will obviously have to be a thorough investigation as to how a message of this kind could have appeared on either an e-mail or an Internet.

I would say to the leader of the third party that I think we're all aware of the fact that there are security questions about both the Internet and about q-mail communications, and that there have been instances before of people getting online who should have no access to the service.

I'm not even going to bother reading this out because it's a truly contemptible message, but I'm obviously very disturbed by what I've just read.

Mr Harris: I agree with the Premier not reading it out; neither am I. I'm releasing the document blacking out those sections that I too find very offensive. However, we obviously have a problem here. We received this, and I think four phone calls today into my office on others who have picked it up off Internet.

We contacted a number of people in the computer industry who have confirmed for us that the sender either had special access to the Premier's office computers—that's one way—or broke into the system from another location, and we are told it's not all that easy to do, or very, very skilfully reconfigured their computer to duplicate your address.

This raises, though, yet another issue of privacy and security within your government. Could you tell us what steps you're taking to ensure the security of information from the highest office in Ontario?

Hon Mr Rae: First of all, no confidential information of any kind would be put on the Internet, nor would it be put on q-mail. Any of us who have worked in this field understand, first of all, three things. It is possible for hackers, as they are called, to get into the system. I understand that they released Buckingham Palace's internal phone numbers and the home phone number of the British Prime Minister. We understand that there have been people who got in the Ministry of Revenue's system, and bilked the phone system for a certain amount of money.

I would say, just based on the document that you have sent me, that this is the product—I mean, all I have here is a printout. I have no idea what computer this came from. It could have been printed out by anything. It could have been printed out by anybody, and the printout is one that refers to my address. My address, as you will well know, is in the newspaper: Premier at Government of Ontario Canada: premier@gov.on.ca, as it's called.

So the allegation that this even came from my system is an allegation that, so far as I can tell, is simply that: an allegation made by you, an assumption made by—

Interjection.

Hon Mr Rae: Oh, you're not making that allegation.

Mr Harris: There are three ways, the experts say, you could get on the system.

Hon Mr Rae: No, but you're also saying it got on the system. I don't even know that. All I have here is a printout.

Interjection.

Hon Mr Rae: I will do that. We will do that. I will certainly do that, but I want to be very clear that what I have got here is a printout of a machine and you are now making an assumption or an allegation as to where this came from.

Mr Harris: The experts tell me there were three ways—

Hon Mr Rae: I've heard a lot of your expertise today. I've heard a lot about your expertise on all sorts of subjects, and you'll permit me if I just take a moment to say that you have presented me with a piece of paper—

The Speaker (Hon David Warner): Could the Premier conclude his reply, please.

Hon Mr Rae: Let me just assess what you did in your questions today: You passed over a piece of paper without any warning of any kind. You ask a flip question as a way of introduction. You then pass me over a piece of paper without any introduction and you ask me to

comment. You then make an allegation and an assumption about it.

I have never seen this paper. It doesn't come from anybody associated with me. I hope the leader of the third party would understand that there's enough decency and civility in this place to understand that this is a contemptible document. It has nothing to do with me or with my office. How you got it, I do not know. Where it comes from, I do not know.

The Speaker: Could the Premier please conclude his reply.

Hon Mr Rae: All I know is that a piece of paper came over to me. I'm telling you it has nothing to do with me. If there are security issues to deal with in terms of the Internet, we will obviously deal with them as we would with any other communication.

The Speaker: New question.

Mr Harris: I raised it as a security issue. I was expecting—

Interjections.

The Speaker: Order. New question.

Mr Harris: My second question is also to the Premier. Yesterday you told reporters you don't understand why welfare rolls are swelling when unemployment is declining. Premier, I suggest you and your minister are the only two people in Canada who don't understand why this is happening.

Ten days ago—

Hon Mr Rae: On a point of order, Mr Speaker: I'd like to confirm, has the leader of the third party actually distributed this document to the entire gallery? Is that what I'm to understand?

Mr James J. Bradley (St Catharines): Yes, he has.

Hon Mr Rae: Has this document been distributed? I can't believe the leader of the third party would engage in that kind of tactic. This is unbelievable. Today you have managed to lower the tone of this place, and I find it—

Interjections.

The Speaker: Order. This House stands in recess for 10 minutes.

The House recessed from 1443 to 1453.

Hon Mr Rae: On a point of order, Mr Speaker: I would like an apology from the leader of the third party, and I'll be very specific as to what I want him to apologize for.

He is leaving on the record the impression that a member from my staff, or possibly me, had anything whatsoever to do with an obscene message on a machine. That is an allegation that is beneath contempt and I must have a clear apology from the leader of the third party. I think it's contemptible to leave that kind of impression on the record; truly contemptible.

Mr Harris: I demand an apology from the Premier of the province of Ontario.

Interjections.

The Speaker: Order.

Interjections.

Hon Bob Huget (Minister without Portfolio in Economic Development and Trade): That junk is on PC letterhead.

The Speaker: Order. The member for Sarnia will come to order.

We have unfortunately had to have at least one recess. In order to conduct the public business, we must attempt, no matter how difficult it may be, to have decorum in this chamber.

This is a difficult and serious issue, I acknowledge. The leader of the third party was recognized; he has the right to speak.

Mr Harris: Thank you very much, Mr Speaker. The Premier has made allegations that I implied that he or one of his staff has put this information on to the Internet system.

If you would check the record, Mr Speaker, when the Premier checks it and calms down he will find out, contrary to the allegation of distribution of material, I did not distribute the material. I blacked out anything that my staff felt might be offensive. Secondly, we had a security problem and I indicated very clearly that the experts say there were three ways that it could have got on there. I am suggesting to the Premier that we do have a problem—unless he has a computer expert who suggests there is a fourth.

I also, Mr Speaker, would let you know and the Premier know, his office is well aware of the problem. The indications to me were they were in a panic situation because they can't get it off the system and unfortunately they didn't notify the Premier. So, on the allegations that the Premier made about me, I would respectfully request an apology from the Premier.

The Speaker: First to the Premier, I understand the concern which he has brought to the attention of the Chair and the House. He does not have a point of order, but it is our custom for any member of the House, when a member finds something to be offending, there is a request and an opportunity for the other member to withdraw whatever remarks were made. Such is not the case and, to the Chair, there is simply a disagreement between two members in the House.

Members will note that, because of the unusual circumstances, I did stop the clock and we will now resume question period. The leader of the third party with his second question, please.

SOCIAL ASSISTANCE

Mr Michael D. Harris (Nipissing): My question is to the Premier. Yesterday, you told reporters you don't understand why welfare rolls are swelling when unemployment is declining. Premier, I suggest that you and your minister must be the only two people in Canada who don't understand why this is happening.

Ten days ago, I informed this House of the Auditor General of Canada's conclusion that Canada's welfare system is fraught with dependency and disincentives to work. He found excessive spending on passive programs and an increasing number of employable people claiming welfare.

Premier, that is why Ontario's rolls are increasing. The

only thing, Premier, that is left to understand is why, over four years, your government has done nothing about it. Can you explain that?

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): I'll take that question as notice, Mr Speaker.

The Speaker (Hon David Warner): Supplementary?

Mr Harris: In perhaps the Premier's last opportunity to answer questions in his history, I'd like it to be noted that on a question that was brought to the attention two weeks ago, well understood by the Auditor General, the Premier doesn't have enough information or composure to answer the question. By way of supplementary, now that he's taken the first as notice, in the first 10 months of this year, the Ontario economy gained 180,000 jobs, yet 18,000 caseloads were added to welfare. Premier, this prosperity paradox is not a new trend.

Interjection.

The Speaker: The member for Durham West, come to order.

Mr Harris: Welfare cases have increased every single year in the last decade, regardless of how strong the economy was. Yet you, Premier, have waited until the dying days of your government to even take a look at the problem. Your inaction has taken hope from thousands of families in this province who are now caught, as the Auditor General concluded, in a cycle of dependency.

Premier, the time for action is now. Could you tell us today what specific plans you have to overhaul Ontario's welfare system?

Hon Mr Rae: I'll take that as notice as well, Mr Speaker.

The Speaker: Is there a final supplementary?

Interjections.

The Speaker: Order. Would the leader please take his seat.

Interjections.

The Speaker: Order. New question.

1500

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Finance. The minister will know that the Provincial Auditor, in his annual report, raised some serious concerns and some serious recommendations about the way the finances of the province are reported.

Normally, the committee called the standing committee on public accounts, an all-party, normally fairly non-partisan, committee deals with those recommendations, and I would say that the recommendations of the Provincial Auditor are absolutely fundamental to the credibility of the province. The committee this morning, as the member will know—

Mr Chris Stockwell (Etobicoke West): Have you read it? Go read it.

The Speaker (Hon David Warner): The member for Etobicoke West, come to order.

Interjections.

The Speaker: The member for Downsview, come to order. The member for Scarborough-Agincourt.

Mr Phillips: One of the key recommendations of the Provincial Auditor was a revision to something called the Audit Act. As a matter of fact, you yourself sent a letter to the committee urging them to have public hearings on it.

This morning, the opposition, members of my caucus, moved a motion that these essential public hearings be held over the next few months. That was the recommendation, a fundamental recommendation. The NDP members of that committee, in a somewhat unprecedented move, blocked any public hearings to be held on the important Audit Act over the next few months.

My question to the minister is this: Were you consulted by your caucus on that decision and, more importantly, do you agree with that decision to not hold the important—at your urging—hearings on the Audit Act in the next few months?

Hon Floyd Laughren (Deputy Premier and Minister of Finance): In view of the fact that we're really talking about a scheduling program of committees, I'd refer this question to the House leader.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): The member opposite knows full well the answer to his question before he asks it. The House leaders of both parties have been made clear, and the members of my caucus and his committee made it clear, that they were prepared to proceed in the spring when the House returns with those hearings that the member refers to. So, with respect to the member's question, yes, we are in the number of months ahead prepared to proceed with those hearings.

Mr Phillips: The Provincial Auditor, in his remarks to the—

Interjections.

The Speaker: Order. Would the member take his seat, please. With the cooperation of his own colleagues, perhaps the honourable member for Scarborough-Agincourt will have an opportunity to place his supplementary.

Mr Phillips: The auditor, in his comments to the public, says, "The way the government is reporting the 1994-95 budget differs significantly from financial reality under any accounting rules."

The auditor went on to say that, in his opinion, the real deficit of the province isn't the \$8.2 billion you're reporting. The auditor went on to say that the deficit would be in the \$10.9-billion range. That's what the Provincial auditor is saying; a fundamental difference between what the government is showing as the deficit and what the Provincial Auditor says is the deficit—a fundamental difference.

The members of our party urge that we have public hearings on the Provincial Auditor's recommendations. This morning the NDP members blocked that request to hold what normally happens: public hearings.

Can the minister responsible for scheduling assure the House today that the government will reconsider its decision to stonewall the public hearings and allow us to have the Audit Act publicly heard over the next few months so the public can have an input into the way the finances of this province are reported?

Hon Mr Charlton: The member has asked a question not having listened to the answer to his first one. I cannot understand the problem the member is having here. The members of my caucus in his committee made it clear that the government is prepared to proceed with those hearings when the House resumes in the spring. That happens to be in the next few months that he's talking about.

The Speaker: New question, the honourable member for Parry Sound.

Interjections.

The Speaker: Order. The patient member for Parry Sound.

Mr Ernie L. Eves (Parry Sound): My question is also to the government House leader on the same subject. This morning, as you know, your members on the public accounts committee voted against reviewing the Provincial Auditor's report in committee during the winter break. Given that your government has put nothing new on the agenda to discuss in committee over the next few months, there seems to be plenty of room in the committee schedule to discuss this very important document. What possible reason could the government have for using its majority to quash the long-standing tradition in this Parliament of reviewing the findings of the Provincial Auditor during the intersession, as we've done here for over 125 years?

Hon Mr Charlton: Perhaps the House leader for the third party can consider this as a response to the question that he raises: I recall last June, when I was trying to order the business of some of the committees in opposition to the wishes of the members of the committees, that the member opposite raised with me the concern that we, to the best of our ability, should be following the requests that come forward from the committees. The government House leader has received no request to sit.

The Speaker: Supplementary.

Interjections.

The Speaker: Order. The supplementary is for the member for Parry Sound.

Interjections.

Mr Stockwell: Take a recess.

The Speaker: It's too easy.

Mr Joseph Cordiano (Lawrence): On a point of order, Mr Speaker: I would ask the minister to check his mail because in fact a request was made by the committee for the committee to sit for four weeks.

The Speaker: It's not a point of order. The member for Lawrence will know that. Supplementary.

Mr Eves: The government House leader will know full well that in fact all three House leaders this morning at House leaders' meetings had a request in each one of our files from the Chairperson of that committee. The

Chairperson speaks for the committee, just as the Premier speaks for the province of Ontario.

The government House leader knows full well that his members comprise a majority of that committee and that he and his Premier can direct, and often do direct, members on committee to vote certain ways on certain issues. That is a fact and they know that. Anybody who doesn't know that doesn't know anything about how this place works.

1510

The Provincial Auditor has raised serious concerns about water quality, about support payments for children, about policing, about Jobs Ontario. The province is mired in debt.

We have drafted a motion for you, which I will send over with a page, which allows the public accounts committee to sit for four weeks of hearings to review the auditor's report and amendments to the Audit Act. Minister, we would be happy to support the motion on this side of the House. Will you have the courtesy, and the common sense and decency, to bring it forward for passage this afternoon?

Hon Mr Charlton: The short answer to the member's question is no. Secondly—

Interjections.

The Speaker: Order.

Hon Mr Charlton: —there are two issues here that need to be dealt with.

Interjection.

The Speaker: The member for York Mills, come to order.

Hon Mr Charlton: There are two clear issues here that need to be dealt with: First, the comment that there was a message sent from the Chair of the committee, and that's correct, and I pursued the government members on the committee and asked them, "Is this a request of the committee?" and the response was: "No, that's the desire of the Chair. The committee has never dealt with the issue." The committee did not deal with that issue until this morning.

With respect to the member for Parry Sound's comments—

Interjections.

The Speaker: Order. When the House comes to order, I will ask the member for Lawrence if he has an actual point of order.

Mr Cordiano: Mr Speaker, it stretches the truth to unknown limits. There has been a consensus on committee that we would sit to deal with matters—

The Speaker: Would the member take his seat, please.

Hon Mr Charlton: There is no consensus and that's obvious from this morning's vote. There was no consensus. The vote shows that.

Mr Robert V. Callahan (Brampton South): No, you gave them their marching orders. That's why they didn't vote for it.

Interjections.

The Speaker: Order. Are you finished?

Hon Mr Charlton: In response to the member for Parry Sound, the member for Parry Sound can't have it both ways. He can't tell me on one occasion that I have to let the committee sit because the committee requested to sit and then tell me that I have to demand that the committee sit because the committee didn't request to sit.

The Speaker: New question.

Ms Margaret H. Harrington (Niagara Falls): My question is to the Minister of Economic Development and Trade. I read this past week in the Niagara Falls Review that Liberal leader Lyn McLeod is now supporting a casino for the city of Niagara Falls. Minister—

The Speaker: A point of order.

Mrs Margaret Marland (Mississauga South): I'm sorry to have to raise a point of order in question period because I know it uses up the time, but I think, in fairness, we cannot have the government House leader stand in this House and frankly say something that is not true, and that is what he's doing.

The Speaker: The member indeed has raised a point of order. She is out of order, and I would ask her to withdraw the unparliamentary remark.

Interjections.

Mrs Marland: Mr Speaker—

Interjections.

The Speaker: Order. Would the member take her seat. I would ask the government members to try to come to order. Make some effort.

The member for Mississauga South, would you please withdraw the unparliamentary remark which you made.

Mrs Marland: Mr Speaker, the member for Lawrence is Chairman of the public accounts committee. He has stood in this House and reported to you that a request was made by that committee to meet—

The Speaker: No. I must caution the member that she has made an unparliamentary remark. She now has an opportunity to withdraw that remark.

Mrs Marland: Mr Speaker, I will—

Interjections.

The Speaker: Order.

Mrs Marland: Mr Speaker, I apologize for trying to have the record of this House recorded factually. I would ask that the government House leader inform this House of the—

The Speaker: I now caution the member that if she refuses to withdraw the unparliamentary remark which she unfortunately made, then I will have no choice but to name her.

I know the member for Mississauga South's respect for Parliament and I know that she would not want to leave an unparliamentary remark on the record.

Mrs Marland: Mr Speaker, I will withdraw the comment that suggested that the government House Leader had not spoken the truth, but I think that he has misstated the facts.

The Speaker: It did sound like a withdrawal of sorts. Now, the question from the member for Niagara Falls.

CASINO GAMBLING

Ms Margaret H. Harrington (Niagara Falls): As I said, my question is to the Minister of Economic Development and Trade. I read very curiously in last Friday's Niagara Falls Review, on the front page, that Lyn McLeod, after visiting the city of Niagara Falls, has now said she is supporting a casino for our city.

Minister, as you know, the people of Niagara Falls held a referendum and the people voted 63% in favour of a casino, just recently, of course. I would like to know first of all from the minister what developments are now taking place as a result of that referendum between the city of Niagara Falls and the Ontario Casino Corp.

Hon Frances Lankin (Minister of Economic Development and Trade): I can't help but say how amazed I was to read, "McLeod Supports Casino for City."—I just happen to have it—"McLeod Favours Falls"; "Liberals Would Give Casino"; "Harrington Accuses Liberals of Flip-Flop." I've got lots of them.

The member's question specifically was with respect to what steps have been taken. I made it very clear when I made the announcement with respect to the fact that the government intended to pursue our very cautious approach and to review the Windsor casino and its operation in its entirety after a year before making a decision about any more casinos outside of the native pilot, that we would be willing to have the casino corporation work with communities that were interested, to ensure that they were assessing their own capabilities and infrastructure with respect to municipal approvals processes, in respect to issues of crime and tourism attraction and a number of issues—market studies.

We know there's a range of technical issues on which we could be of help to those communities that are interested. I can tell the member that we did receive a request from the city of Niagara Falls and that the casino corporation will be pursuing that with that city as well as some others that have indicated a like interest.

Ms Harrington: It is very clear that this government owns this issue. We introduced it two and a half years ago. We have worked long and hard to make it a success—

Interjections.

The Speaker (Hon David Warner): Will the member take her seat, please.

Interjections.

The Speaker: Supplementary.

Ms Harrington: We, as a government, have worked long and hard to make this a success. We are now ensuring that it is carried forward in a very careful—

Interjections.

The Speaker: Order.

Ms Harrington: —and a very responsible—

Interjections.

The Speaker: Will the member take her seat, please.
1520

Interjections.

The Speaker: Supplementary.

Ms Harrington: Given that the leader of the Liberal Party has now jumped on the bandwagon and come out in favour of a casino in Niagara Falls, do you see this in any way shortening the period for getting a casino?

Interjections.

The Speaker: Order.

Hon Ms Lankin: Quite frankly, I can't explain the Liberal leader and her position on this issue. I can tell you that it has no impact on what this government will do. I mean, the Liberal leader goes to Niagara Falls and attends a Liberal fund-raiser and tells the community what it wants to hear. They want a casino? Lyn McLeod says, "I'm with you all the way for a casino."

Interjections.

The Speaker: Order.

Hon Ms Lankin: I'd suggest to the residents of Niagara Falls that they should take a look at the record. When the bill was passed in this Legislature, every single Liberal voted against it. The leader explains that to the press. She actually says: "It's not inconsistent. I support casinos and I support a casino for Niagara Falls, but I didn't support the NDP legislation."

Maybe she could explain this to us: In September, the end of September, she sends a letter out—it's her signature, her letterhead—in which she says, "Prior to embarking on any additional casino initiatives"—

Interjections.

The Speaker: Order.

Hon Ms Lankin: —"a Liberal government would commit to undertaking"—

The Speaker: It appears that members are determined to destroy their question period. I will stand here. The clock will tick. You can utilize the existing nine minutes and 52 seconds to make noise. I will stand here.

Interjections.

The Speaker: Could the minister briefly conclude her reply.

Hon Ms Lankin: I started, Mr Speaker. I was reading from a September 26 letter from the leader of the official opposition in which she says, "Prior to embarking on any additional casino initiatives, a Liberal government would commit to undertaking a full analysis of the social and economic impact of the Windsor casino project on the local community." Yet she committed herself. And she went one step further. She actually criticized the Conservative leader. This is amazing. She says—

The Speaker: Could the minister conclude her reply, please.

Hon Ms Lankin: —"Predicting what the other two parties will do isn't easy. While anything's possible with the NDP"—here's what she said about the Conservatives—"the Conservative leader said he would require a referendum across the province before he would even consider it."

The Speaker: Could the minister please conclude her reply.

Hon Ms Lankin: It's clear that she's criticizing open consultation that the Tories are suggesting. It's clear that

she's criticizing our cautious approach.

The Speaker: Would the minister take her seat, please. The question has been answered.

PASSENGER RAIL SERVICE

Mr Hans Daigeler (Nepean): My question is to the Minister of Transportation. Some time ago a question was asked in this House, and perhaps just to refresh your memory I might want to read it to you; you probably don't have the Hansard right in front of you. But the question was like this:

"What has the minister" of Transportation "to say to the residents of Cambridge on the issue of passenger rail service?... Our request is very modest. There is a train to Guelph. We're asking that that train go on one journey in the morning and one journey in the night to Cambridge. The track is in place. The signals are in place. The station is in place. There is community support. There is a projected ridership for this. Cambridge is waiting and we want that service now."

Minister, how would you answer that question?

Hon Mike Farnan (Minister of Transportation): My predecessor made a commitment to the people of Cambridge that this matter would be reviewed on an annual basis, and I am prepared to meet the commitment made by my predecessor: It will be reviewed.

I find it ironic from the member from the Liberal Party who say they will cut taxes by 5%, and this is just another example where they want to spend more. The member for Nepean wants to spend more on 416; the member for York Centre, more money for high-speed rail; the member for Kenora, more money to build a Cadillac version of the Kenora bypass; the member for Timiskaming, more money for road repairs; the member for Fort William, more money for municipal transfers, more money for Red Hill Creek; the member for Manitoulin, more money for more road maintenance. The Liberals would spend us to death. We have to look at projects realistically.

Mr Daigeler: I know perhaps the minister's memory is a little bit short, but if I could just refresh his memory as to who wants to spend here, the question that I just asked was put forward on November 6, 1991, by someone by the name of Mike Farnan, who I understand is now the Minister of Transportation.

I think you'd be interested to know what the member at the time said, and I quote from Mike Farnan: "The people of Cambridge are fed up with studies on this issue." That's what the member said on November 6, 1991.

Minister, have you changed your mind on GO Transit to Cambridge since you became minister?

Hon Mr Farnan: I have said that indeed the commitment of my predecessor would be met, but let me say this to the member: This government is not simply interested in one aspect, and neither are the people of Cambridge. The people of Cambridge are interested in good government. The people of Cambridge are interested in responsible fiscal spending by this government. All decisions that will be made will be made in the light of a balanced fiscal approach to the issues facing the province.

LABOUR UNIONS

Mr Ted Arnott (Wellington): My question is for the Minister of Labour. Late last week I received a letter from a constituent, Mrs Janice Lockyer, who works at Euclid-Hitachi Heavy Equipment Ltd in Guelph, which is a manufacturer of heavy off-highway trucks. For the past six years the Canadian Auto Workers Union has been the workers' bargaining agent at Euclid-Hitachi, but many of the employees are dissatisfied with the CAW and want to get rid of the union, so the Ontario Labour Relations Board held a decertification vote earlier this year, in March. Nine months have now passed since that vote and the employees still haven't been told the results. In fact, the labour board refuses to disclose the outcome of the vote. My question to the minister is, why is it taking nine months to count the ballots?

Hon Shirley Coppen (Minister of Labour): I thank the member for Wellington—he always has a caring attitude about his constituents—for bringing this matter to my attention. I apologize to the member. I do not know why it has taken nine months for the response. If the member would be so kind as to allow me to go back to the office after question period, I would be very happy to bring an answer back to him as soon as possible.

1530

Mr Arnott: Our Conservative Labour critic, the member for Waterloo North, for the past four years has fought tirelessly to bring democracy to unions in Ontario. As late as last Monday, she again called on you to introduce legislation to democratize the unions. If it takes nine months to count the ballots, as it has in this case, there is no democracy in our unions in Ontario.

In addition, Ms Lockyer in her letter has called into question the impartiality of the Ontario Labour Relations Board. She writes: "As you can see from my letters the vote went well and we feel, as the association, that we had a higher percentage of the votes. I say this because I cannot figure out any other reason for the labour board to be stalling. I think they're afraid of having the CAW kicked out."

I have to agree. It appears that the NDP government's board doesn't want to further antagonize the CAW immediately before a provincial election.

Will the minister intervene to ensure that, before Christmas, the workers receive the results of their decertification vote?

Hon Mrs Coppen: If I'm correct, all the critic from that party has been doing in asking me questions is trying to slam Bill 40. I believe Bill 40 will protect workers in this province.

The member brings this problem to my attention today, and I have very willingly said to him that I will go back to the ministry office and bring back to him the explanation of why this has taken very long. He knows very well that I cannot intervene in the board's decision, but I can very willingly bring him back the response he needs as soon as I'm given it by the board.

The Speaker (Hon David Warner): New question, the member for Norfolk.

Interjections.

The Speaker: The member has an opportunity now to place his question.

Mr Norm Jamison (Norfolk): I will take this opportunity to ask a question, although I think this House in general owes the people of the province of Ontario an apology for its contempt for question period today.

GOVERNMENT REGULATIONS

Mr Norm Jamison (Norfolk): My question is for the Minister of Consumer and Commercial Relations. As you know, the third party, the Tories, have committed themselves to a Republican-style all-out war against government regulations. I read recently that the Liberals in their blue book—or their red book turned blue, I should say—have also promised to cut government regulations by 50%.

This all sounds very good, but I would say that I think regulations serve an important aspect in the regulatory system we all exist in. Although I would say that reducing regulations in certain sectors is an important aspect, I wonder what your views are on this issue.

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): The member has been trying to ask this question for three days. I'm glad he got on today with one second left.

Both opposition parties are calling for radical dismantling of regulations. It sounds really sexy, but it can be really misleading. Not one party across the way has said what regulations it would cut, and that's very dangerous.

I can tell you that the people out there and in fact business—I deal with business, because it's a regulatory ministry—come to me asking for regulation on frequent occasions. Let me make it perfectly clear that this government has made the public sector more efficient and this government is fostering a first-class business environment. We have improved government efficiency by making changes to over 100 statutes through Bill 175.

Mr Robert V. Callahan (Brampton South): Like Clearing the Path? Give me a break.

Hon Ms Churley: Clearing the Path, yes, revolutionary legislation. We have been clearing out legislation and regulations that don't make sense any more. It's important to continue that. But let us hear from the opposition, as they talk about dismantling regulations, just what it is they have in mind so the people of Ontario know what they're talking about.

ORDER AND DECORUM IN THE CHAMBER

Mr Robert W. Runciman (Leeds-Grenville): On a point of order, Mr Speaker: I realize this is probably the last day of the sitting, but I think it's important to raise an issue with the Chair in terms of the standing orders, with respect to the section dealing with the adjournment for disorder.

I think you will share my view and the view of all members of the House that there should never be any question or doubt about the independence of the Chair, the impartial way in which the Chair reaches decisions, and the "Adjournment for disorder" section of the standing orders speaks to "grave disorder."

Mr Speaker, you made a decision earlier today to

declare a recess, and I think it's caused some concern in respect to your actions. I can recall last spring when we had a situation in this Legislature where members of both opposition parties were very upset about actions of the government and we in unison were pounding our tables in here for about 10 minutes while you stood in your place. We've seen a number of situations occur over the years that you've been in the Chair where you have reacted in a much more cautious manner than you did today.

Perhaps I was mistaken and other members were mistaken, but it appeared your decision today was a response to the actions of the Premier and not any clear definition of what constitutes grave disorder.

Mr Speaker, I think it's very important that you put on the record your views in terms of how the Chair, the Speaker of this House, defines and reaches conclusions in terms of the standing orders on how you define "grave disorder."

The Speaker (Hon David Warner): Indeed I appreciate the honourable member for Leeds-Grenville bringing this matter to the attention of the Chair and of the House.

It is a sad time at any point when there is such disorder that we do not have any semblance of decorum in the chamber. Such was the case today, and not on just one occasion. Indeed it was the judgement of the Chair that we had unhappily reached a point where grave disorder was about to occur. In fact I am convinced that had the Sergeant at Arms not been present, we would have had some very unfortunate occurrences both in this chamber and outside.

I do not take the matter lightly when it is necessary to recess. I realize that whether you stop the proceedings and allow the clock to continue, thus taking away valuable time from members who wish to ask questions, or whether you recess for a few minutes, which generally speaking intrudes upon the government's agenda to bring forward legislation or to debate legislation, either course of action causes concern for members on both sides of the House.

The Chair has a responsibility to maintain order and decorum in the chair, and the Chair will always exercise judgement and try to maintain, to the best of his or her ability, order and decorum in the House. I've said on many occasions and I repeat again today that this is not something that can be achieved by one person alone. It requires the cooperation of all members in the House. That cooperation was sadly lacking today from all three caucuses, but the Chair must suffer that frustration in silence.

I repeat, I appreciate that the member has brought the matter to my attention. I can tell the member quite candidly that I do not like recessing the House. I do not like standing here while the clock continues to tick. I value the time that members have so precious little of in order to bring matters to the attention of the House and the public. It saddens me when there's anger in the chamber, because I have seen the other side of it too, where members rise above partisan politics and where they distinguish themselves on behalf of this province. Today was not a happy day for me and I trust it was not

a happy day for anyone else in this chamber.

I again thank the member for raising the issue and giving me an opportunity to put some thoughts on the record, and I appreciate the indulgence of the House.

1540

Mr Steven W. Mahoney (Mississauga West): On a point of order, Mr Speaker: To try to perhaps bring some happiness to this place, I would ask you to indulge me in a point of order, a request to the government House leader for unanimous consent to have the government House leader update this place on the status of the memorandum of settlement that was sent over to OPSEU with regard to the parking lot attendants in this place who have been waiting for three years for a raise.

We're less than three weeks from Christmas and they're very anxious to see if this settlement agreement is going to be ratified by OPSEU and sent back so they can get their money. I know the government House leader shares my concern and I think it would be helpful if he would agree to unanimous consent to update us.

I only do this because it is the last day of sitting. There was no time to get it on question period, and I think it's an issue we would all be very concerned about.

The Speaker: The member in fact has answered his own question. He does not have a point of order. He has a question.

Mr Mahoney: I'm asking for unanimous consent.

The Speaker: Is there unanimous consent for the government House leader to make a statement?

Interjections.

The Speaker: I heard at least one negative voice and it may have come from the government House leader.

PETITIONS

GASOLINE PRICES

Mr Frank Miclash (Kenora): I have a petition to the Legislative Assembly of Ontario. It reads:

"Whereas the difference in gasoline prices between northern and southern Ontario has long represented a serious inequity between the two regions; and

"Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 and 20 cents per litre; and

"Whereas residents in most northern Ontario communities have no access to public transportation options and are therefore dependent on private automobiles; and

"Whereas 1990 NDP election promises to 'equalize' the price of gas across the province have not been kept; and

"Whereas" I as the Liberal MPP for the Kenora riding have "called upon the NDP government to keep their 1990 election promises; and

"Whereas the elimination of motor vehicle registration fees for northern Ontario residents does not compensate for the high price of gas in the north;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government of Ontario fulfil its election promises to the people of northern Ontario by

equalizing the price of gas across the province.”

That’s signed by residents from Dryden, Keewatin, Kenora, Balmertown, and other places throughout my riding.

DANGEROUS OFFENDERS

Mr Chris Hodgson (Victoria-Haliburton): I have a petition signed by scores of residents from my riding and across Ontario. It is a petition to the parliament of Ontario:

“Whereas we the citizens of Ontario agree that clear dealings between the present justice system and the public establish a positive relationship for all concerned; and

“Whereas one building block for such a relationship is a fair and accurate way of dealing with habitual child sex offenders;

“We, the undersigned, petition the Parliament of Ontario as follows:

“We believe that one way of dealing with convicted habitual child sex offenders upon release is that his/her photo and address be made available to the public for a minimum of seven years in whatever area of the province he/she takes residence.”

PENSION FUNDS

Mr Randy R. Hope (Chatham-Kent): I have a petition which is addressed to the Legislative Assembly of Ontario. It says:

“Whereas the NDP government has stressed that equality of treatment is essential in a modern society; and

“Whereas the former Liberal government chose to exclude thousands of workers from the Pension Benefits Act (1988) whose employment was terminated prior to January 1 1988; and

“Whereas workers are being denied access to pension funds that are, in fact, deferred wages;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to enact changes to the Pension Benefits Act that will enable workers whose employment was terminated prior to 1988 the option to:

“(a) purchase a locked-in retirement account (LIRA) or life income account; or

“(b) transfer the pension money to the pension fund of a new employer. And that these workers be allowed the right to begin to receive payments from their pension fund or LIRA at age 55.”

These are signed by a number of people from the city of Chatham, and I do affix my signature to it.

MENTAL HEALTH SERVICES

Mr Tony Ruprecht (Parkdale): I keep getting these petitions to shut down the 20-bed jail on Queen Street. It’s addressed to the assembly:

“Whereas the NDP government is hell-bent on establishing a 20-bed forensic facility for the criminally insane at the Queen Street Mental Health Centre; and

“Whereas the nearby community is already home to the highest number of ex-psychiatric patients and social service organizations in hundreds of licensed and unlicensed rooming-houses, group homes and crisis care

facilities in all of Canada; and

“Whereas there are other neighbourhoods where the criminally insane could be assessed and treated;

“Whereas no one was consulted—not the local residents and business community; not leaders of community organizations; not education providers and child care providers; and not even the NDP member of provincial Parliament for Fort York;

“We, the undersigned, therefore sign and petition the government of Ontario to urge that the NDP government immediately stop all plans to accommodate the criminally insane in an expanded Queen Street Mental Health Centre until a public consultation process is completed.”

I have signed my name to this petition.

CONTROL OF SMOKING

Mr Leo Jordan (Lanark-Renfrew): This petition is sent by Denys Hamilton of Smiths Falls:

“We, the undersigned, wish to complain about the no-smoking law in the County Fair Mall in Smiths Falls.”

He is a smoker himself and addicted to cigarettes, which “the government has contributed to by reducing the tax on cigarettes.

“Besides this, the restaurant next door to our store has an area for smokers, but I’m not allowed to accommodate my customers in this manner;

“Whereas this is discrimination against me and the people who sign this petition; and

“Whereas this law has affected business, we want something done to bring about justice in this matter.”

This petition is signed by 187 people, and I affix my signature.

BUSINESS PRACTICES

Mr Larry O’Connor (Durham-York): I have a petition here to the Parliament of Ontario:

“Whereas there is a gross inequity in the relationship between a franchisor and a franchisee; and

“Whereas this inequity results in unfair business practices by franchisors, with little or no recourse practically available to the franchisee;

“We, the undersigned, petition the Parliament of Ontario to enact Bill 182 or other such legislation to protect the current and prospective franchisees from unfair businesses practices by franchisors.”

That bill I believe stands under the name of Mr Wiseman, and I affix my name to this.

GASOLINE PRICES

Mr Bruce Crozier (Essex South): I have a petition to the Legislative Assembly of Ontario:

“Whereas the difference in gasoline prices between northern and southern Ontario has long represented a serious inequity between the two regions; and

“Whereas the difference in gasoline prices between northern and southern Ontario is often between 10 and 20 cents a litre; and

“Whereas residents of most northern Ontario communities have no access to public transportation options and are therefore dependent on private automobiles; and

"Whereas 1990 NDP election promises to 'equalize' the price of gas across the province of Ontario have not been kept; and

"Whereas Kenora Liberal MPP Frank Miclash has called upon the NDP government to keep their 1990 election promises; and

"Whereas the elimination of motor vehicle registration fees for northern Ontario residents does not compensate for the excessively high price of gas in the north;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario as follows:

"That the NDP government of Ontario fulfil its election promises to the people of northern Ontario by equalizing the price of gas across the province."

I affix my signature hereto.

DRINKING AND DRIVING

Mrs Margaret Marland (Mississauga South): I have a petition to the Legislative Assembly of Ontario which reads as follows:

"Whereas 81% of all driving fatalities are alcohol-related; and

"Whereas 59% or 18,000 of the 30,000 total convictions for drunk driving in 1992 involved repeat offenders;

"Whereas the Drinking and Driving in Ontario Statistical Yearbook released by the Ministry of the Attorney General's drinking/driving countermeasures office confirmed that drunk driving is on the rise;

"Whereas drunk driving is the number one killer of young people;

"Whereas the existing measures and penalties have failed to deter chronic drunk drivers from reoffending;

"Whereas driving is a privilege, not a right, and chronic drunk drivers have failed to take their driving responsibilities seriously;

"We, the undersigned, petition the Legislative Assembly of Ontario to enact Margaret Marland's private member's Bill 195, An Act to amend the Highway Traffic Act, or similar legislation, prior to the recess of the Ontario Legislature on December 8, 1994."

There are over 1,000 signatures on this petition and I'm happy to lend my support.

1550

HEALTH INSURANCE

Mr Robert Frankford (Scarborough East): Florida wants snowbirds to return, and I have a petition, signed by a number of residents of Scarborough East, which will deal with that problem in an economically effective way for this province.

"To the Legislature of Ontario:

"Whereas Canadians and Americans have been accustomed to travelling freely in North America; and

"The price, availability, conditions and degree of coverage by health insurance (both public and private) are restricting that mobility, thereby jeopardizing the well-being of individuals and families as well as destabilizing tourism economies;

"We, the undersigned, call on the Ontario Minister of Health to discuss and arrange with the Governor of

Florida the establishment of reciprocal health insurance coverage for the residents of their respective jurisdictions."

LONG-TERM-CARE REFORM

Mrs Joan M. Fawcett (Northumberland): I have a petition from several seniors from Brighton, Warkworth, Campbellford, Port Hope, Hastings and Frankford.

"We, the undersigned, do hereby petition the Legislative Assembly of Ontario as follows:

"We are concerned that Bill 173, if unamended, will result in less service, more costly service, a decrease in volunteers and less flexibility for communities to develop a model that works for them."

"We urge the Minister of Health to respond forthwith to issues raised above."

I've signed the petition.

AUTISM SERVICES

Mr Chris Stockwell (Etobicoke West): I have two petitions here, the same petitions, one from the member for Simcoe West and of course one that I've received at my office.

"To the Legislative Assembly of Ontario:

"Whereas there is a dearth of therapeutic/educational programs for hundreds of children in the province of Ontario who have autism spectrum disorder; and

"Whereas 'Giant Steps Centre' for neuro-integrative disorders will provide the needed treatment and programming for these children and their families;

"Whereas the 'Giant Steps' model has been presented to the triministry committee, the Ministry of Health, the Ministry of Education and Training, the Ministry of Community and Social Services and the Premier's office;

"We, the undersigned, hereby petition the Legislative Assembly of Ontario for help in bringing this project to fruition so that the needs of these children can be addressed."

I have, of course, signed this too.

SALE OF BEER AND WINE

Mr Peter Kormos (Welland-Thorold): I've got a petition addressed to the Legislative Assembly of Ontario and it reads:

"Whereas large grocery stores and shopping centres are now allowed to open on Sundays;

"Whereas convenience stores have suffered a major economic loss due to the generalized practice of Sunday openings by the larger stores;

"Whereas small business is responsible for the creation of a majority of jobs in Ontario;

"Whereas there is a dire need for job creation in Ontario with current high unemployment and welfare cases;

"Whereas convenience stores could profit economically and thus maintain and create jobs by offering the sale of beer and wine in convenience stores;

"Whereas Ontario consumers' attitudes now support in the 1990s the sale of beer and wine in convenience stores;

"Therefore we, the undersigned, humbly beg leave to petition the Legislative Assembly of Ontario to support legislation authorizing convenience stores to sell beer and wine to their clients."

That's signed by people like Mike Dakin from McCabe Avenue, Rod Matthews, RR 1 Welland, Morris Moroz and a couple of hundred other people from the Welland and area community.

The Acting Speaker (Mr Noble Villeneuve): Has the honourable member signed the petition?

Mr Kormos: I submit this with pleasure.

ADOPTION

Mrs Yvonne O'Neill (Ottawa-Rideau): A petition to the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the Adoption Reform Coalition of Ontario brings together various organizations to recommend reform of Ontario adoption law based on honesty, openness and integrity;

"Whereas the Adoption Reform Coalition of Ontario believes that existing adoption secrecy legislation, although originally based on unresearched good intentions, is outdated and unjust;

"Whereas Canada has ratified standards of civil and human rights in the Charter of Rights and Freedoms and the UN Declaration on Human Rights, these rights are denied to persons affected by secrecy provisions in adoption laws of the Child and Family Services Act and other acts in Ontario;

"Whereas 10% of persons in Ontario are directly affected and 20% are indirectly affected by restricted rights to personally identifying information on themselves and on birth and adoptive relatives in the Ontario Child and Family Services Act and other acts;

"Whereas the birth certificate issued to an adopted person is a legally sanctioned erroneous document;

"Whereas the current system for disclosure of adoption information is discriminatory, psychologically cruel and expensive, with unacceptably long waiting periods for indeterminate results;

"Whereas research shows that not knowing basic personal information has proven harmful to adopted persons, birth parents and other birth and adoptive relatives,

"We, the undersigned, petition the Legislature of Ontario:

"(1) To enact revision of the Child and Family Services Act and other acts to move as quickly as possible to permit unrestricted access to full personal identifying information to adopted persons, adult children of adopted persons, birth parents, birth siblings and other birth relatives when the adopted person reaches age 18.

"(2) To permit access to identifying information to adoptive parents of minor children and emancipated minor adoptees.

"(3) To allow adopted persons and birth parents to file a notice stating their wish for non-contact.

"(4) To eliminate mandatory reunion counselling.

"(5) To encourage and support client self-determination.

"(6) To permit access to agency and court files when original statistical information is insufficient to identify and contact birth relatives.

"(7) To recognize open adoptions in the law."

I too affix my signature.

HIGHWAY 42

Mr Robert W. Runciman (Leeds-Grenville): I have a petition from constituents in my area expressing concern about Highway 42 in the Athens-to-Delta stretch and the significant damage that has been done to vehicles following a surface treatment of the highway.

This has been signed by approximately 100 users of the road. I'm affixing my signature in support.

WHITE LAKE

Mr Robert W. Runciman (Leeds-Grenville): I also want to put on the record a petition from my colleague the member for Lanark-Renfrew from constituents who are very seriously concerned about the lowering of the water levels in White Lake. They are urging the ministry not to do this in the future, that the level should not go below the 4.5-foot level.

The Acting Speaker (Mr Noble Villeneuve): This completes the time allotted for petitions.

Mr Jim Wiseman (Durham West): I would like to ask unanimous consent that we extend the petition—

The Acting Speaker: Do we have unanimous consent to continue with petitions?

Interjections.

The Acting Speaker: I heard at least one negative.

Mr Ron Hansen (Lincoln): I have a petition here I'd like to file with the Clerk—is that possible?—from the moped industry.

The Acting Speaker: It's my understanding that petitions are to be presented only to the House.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Haeck from the standing committee on regulations and private bills presented the committee's third report.

Ms Christel Haeck (St Catharines-Brock): The standing committee on regulations and private bills has had a very busy session. We've actually had a very productive session, and I want to thank all members for their help in making sure that we got through probably 25 private bills from various communities across the province, and likewise in the last session have been able to get through the annual reports dealing with regulations since 1989. I want to compliment my colleagues on all sides of the House for their efforts in making sure that we could complete that task.

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr Cordiano from the standing committee on public accounts presented the committee's 1992 and 1993 biennial report.

Mr Joseph Cordiano (Lawrence): This is a report that's filed for those two years. It includes a number of other reports that have not been tabled elsewhere, information regarding conferences and other seminars that have been held regarding public accounts. It's a compilation of those reports and those proceedings.

1600

INTRODUCTION OF BILLS

MUNICIPAL TAX RELIEF ACT, 1994

LOI DE 1994 SUR L'ALLÈGEMENT DES IMPÔTS MUNICIPAUX

Mr Henderson moved first reading of the following bill:

Bill 207, An Act to provide relief from Municipal Taxes for certain property owners / Projet de loi 207, Loi prévoyant un allègement des impôts municipaux à l'intention de certains propriétaires fonciers.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

Mr D. James Henderson (Etobicoke-Humber): This bill provides that where a person owns property in more than one municipality that is subject to municipal taxation, the person will not be liable to pay education taxes in the different municipalities, but only in the municipality where the education portion of the tax bill is the highest.

CONDOMINIUM AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI SUR LES CONDOMINIUMS

Mr Stockwell moved first reading of the following bill:

Bill 208, An Act to amend the Condominium Act / Projet de loi 208, Loi modifiant la Loi sur les condominiums.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

MEMBERS' INTEGRITY ACT, 1994

LOI DE 1994 SUR L'INTÉGRITÉ DES DÉPUTÉS

Mr Charlton moved first reading of the following bill:

Bill 209, An Act to revise the Members' Conflict of Interest Act and to make related amendments to the Legislative Assembly Act / Projet de loi 209, Loi révisant la Loi sur les conflits d'intérêts des membres de l'Assemblée et apportant des modifications connexes à la Loi sur l'Assemblée législative.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): The Members' Integrity Act that I'm introducing today will replace the Members' Conflict of Interest Act. The new act puts into effect recommendations from the Conflict of Interest Commissioner, Gregory Evans, who administers the act. Justice Evans worked with legal counsel representing all three parties in drafting the legislation.

This bill includes ministerial conflict-of-interest obligations previously contained in the Premier's guidelines on conflict of interest. For this reason, separate guidelines will no longer be required.

The highlights of the amendments include broadening the scope of the act to deal with parliamentary tradition as well as issues of conflict of interest in the economic sense; amendments to the Legislative Assembly Act restricting contracts between members and the government; cabinet members will not be allowed to acquire land; the scope of members' private disclosure statements will be expanded as will the scope of the commissioner's statements based on information provided by members.

These amendments will help to clarify members' responsibilities and take the partisan political wrangling out of conflict-of-interest issues, hopefully. I believe this will reinforce our ongoing commitment to the highest possible integrity and accountability on the part of our elected officials.

VICTIMS' RIGHT TO PROCEEDS OF CRIME ACT, 1994

LOI DE 1994 SUR LE DROIT DES VICTIMES AUX GAINS RÉALISÉS À LA SUITE D'UN ACTE CRIMINEL

Mr Jackson moved first reading of the following bill:

Bill 210, An Act to provide for the payment of money awarded in civil law suits to victims of crime / Projet de loi 210, Loi prévoyant le versement aux victimes d'actes criminels des sommes adjugées dans les poursuites civiles.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

ORDERS OF THE DAY

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader):

Again today, before I actually call the first order, we need to go through a number of issues that the three House leaders have discussed and agreed on because I need the consent of the House to proceed with them.

The first issue is that there are another 12 bills that have been reported out of the private bills committee for which we need the consent of the House to deal with both second and third reading on the same day, today.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the members agree? Agreed.

Hon Mr Charlton: Secondly, I need consent to call the 11th order and that immediately upon the 11th order being called the bells will be rung and the members called in once to vote on all three motions which make up the 11th order. These motions deal with the government's budget motion as well as the two amendments proposed by the opposition parties.

The Acting Speaker: Do we have agreement? Agreed.

Hon Mr Charlton: Thirdly, we need consent to proceed with both committee of the whole House and third reading on Bill 191.

The Acting Speaker: Members agree? Agreed.

Hon Mr Charlton: There are two bills being introduced today for which I would ask the consent of the House to deal with first, second and third reading on each of those bills all in the course of today. One is the bill dealing with the proceeds of crime, which has just been

introduced by the member for Burlington South, and the other is the bill which I've just introduced, entitled the Members' Integrity Act.

The Acting Speaker: Do we have agreement from members? Agreed.

Hon Mr Charlton: Lastly, I need the consent of the House to discharge the order for committee of the whole House for Bills 158, 179 and 192, and that they be ordered for third reading.

The Acting Speaker: Do we have agreement from members? Agreed.

1994 ONTARIO BUDGET

Resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government (1994).

The Acting Speaker (Mr Noble Villeneuve): On Thursday, May 5, 1994, Mr Laughren moved, seconded by Mr Rae, that this House approves in general the budgetary policy of the government.

On Monday, May 9, 1994, Mrs McLeod moved that the motion moved by the Minister of Finance on May 5 "that this House approves in general the budgetary policy of the government" be amended by deleting the words following the words "that this House" and adding thereto the following:

"Recognizing that the budgetary policy put forward by the Minister of Finance offers no news, no jobs and no hope to get Ontario working again; and

"That the NDP budget fails to respond to the 590,000 people in Ontario that are unemployed, and accepts that high levels of unemployment will be part of our future for years to come; and

"That this budget does little to offset the NDP's legacy of \$4 billion in new taxes and \$400 million in fee increases which are the highest tax increases since the Tories were in office; and

"That the budget does virtually nothing to address the \$40 billion in new debt added by the NDP, which is the largest increase in the provincial debt since the Tories were in office; and

"That the NDP's refusal to pursue a fiscally responsible plan for the first three and a half years of its mandate has created a fiscal crisis which has resulted in job losses and hampered the economic recovery in the province; and

"That the NDP have refused to recognize the job-killing economic impact of their anti-business legislation; and

"That the NDP's more than \$2-billion hidden deficit plan of hiding debt through loan-based financing, debt-financing capital corporations, delayed pension payments, and the one-time fire sale of government assets are short-term solutions which do little to restore business and investor confidence; and

"That the NDP have refused to implement the Provincial Auditor's recommendations to fully account for the real deficit of the province; and

"That at a time when the people of Ontario were looking for bold new ideas and leadership, the NDP

decided to throw in the towel and release a stand-pat budget that is clearly the last gasp of a dying government; and

"That the NDP budget is as full of empty rhetoric and as unable to put the people back to work as the Tories' economic framework; and

"That the NDP refuse to implement a realistic Liberal plan to bring unemployment down to at least 6% by:

"—Cutting the overall tax burden by 5% over five years;

"—Reducing the cost of dealing with red tape by 50% over five years;

"—Achieving a balanced operating budget within a Liberal government's first mandate;

"—Keeping a firm lid on WCB premium increases;

"—Improving businesses' access to financing, through challenging banks to improve their service to small and medium-sized businesses and requiring financial institutions to prepare and publish codes of conduct for such financing;

"—Renewing our commitment to global trading and improving our infrastructure; and

"Failing to implement this realistic plan,

"Therefore the House has lost confidence in this government."

On Tuesday, May 10, 1994, Mr Johnson (Don Mills) moved that the amendment to the motion be amended by adding after the words "Failing to implement this realistic plan" the following:

"Recognizing that the 1994 budget does not radically reform the tax-borrow-and-spend policies which have been pursued in Ontario for the past decade by successive Liberal and New Democratic governments that have undermined both the economy and finances of the province of Ontario; and

"That the budget, in so far as it is lacking in detail, vision and courage, appears to have been written by the Liberal Party of Ontario which in office sowed the seeds of the province's current fiscal and economic crisis; and

"That the budget fails to respond to the demands of Ontarians for a revolution in the way government conducts its business and for a reduction in the size and cost of the public sector; and

"That the budget ignores the need to substantially lower the deferred tax burden in the form of multibillion-dollar deficits on the people and economy of Ontario; and

"That the budget again missed the opportunity to foster the development of a competitive entrepreneurial culture in Ontario by failing to provide meaningful and substantial tax relief to small businesses, workers and consumers, by ignoring the need for reform of the welfare system which currently discourages initiative and promotes dependence and by refusing to eliminate regulations and laws that are strangling investment and job creation; and

"That the budget did not include any proposals to ensure that the province would be able to continue to adequately fund priority programs; and

"Finding that the budget failed to implement a range of

commonsense measures including a 30% reduction in the personal income tax rate, a small business exemption from the employer health tax, a 20% reduction in non-priority government spending, the appointment of an arm's-length commission to eliminate anti-business regulations, a reduction in Workers' Compensation Board premiums, the repeal of job-killing labour laws, measures which would have helped balance the budget while creating some 725,000 new jobs,

"Therefore the House has lost confidence in this government."

The first question to be decided is the amendment to the amendment to the motion.

The question now: Is it the pleasure of the House that Mr Johnson's amendment to the amendment to the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members; up to a 30-minute bell.

The division bells rang from 1615 to 1645.

The Acting Speaker: Order, please. Would all members please take their seats. The first question to be decided is the amendment to the amendment to the motion in the name of Mr David Johnson.

Mr Johnson has moved an amendment to the amendment of the budgetary motion. All those in favour of Mr Johnson's amendment will rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Carr, Eves, Harnick, Hodgson, Jackson, Johnson (Don Mills), McLean, Murdoch (Grey-Owen Sound), Runciman, Sterling, Stockwell, Tilson, Turnbull, Wilson (Simcoe West), Witmer.

The Acting Speaker: All those opposed to the amendment to the amendment will please rise one at a time and be recognized by the Clerk.

Nays

Abel, Allen, Beer, Bisson, Boyd, Bradley, Buchanan, Callahan, Carter, Charlton, Christopherson, Churley, Conway, Cooke, Cooper, Coppen, Cordiano, Crozier, Curling, Dadamo, Daigeler, Duignan, Eddy, Farnan, Fawcett, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Henderson, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Lankin, Lessard, Mackenzie, MacKinnon, Mahoney, Malkowski, Mammoliti, Marchese, Martin, Mathysen, Mills, Morrow, Murdock (Sudbury), Murphy, North, O'Connor, Offer, O'Neill (Ottawa-Rideau), Owens, Perruzza, Philip (Etobicoke-Rexdale), Phillips (Scarborough-Agincourt), Pilkey, Poole, Pouliot, Rae, Rizzo, Ruprecht, Silipo, Sorbara, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziembra.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 16, the nays 86.

The Acting Speaker: I declare Mr Johnson's amendment to the amendment lost.

We will now deal with Mrs McLeod's amendment to the budgetary motion. All those in favour of Mrs McLeod's amendment, please rise one at a time and be recognized by the Clerk.

Ayes

Beer, Bradley, Callahan, Conway, Cordiano, Crozier, Curling, Daigeler, Eddy, Fawcett, Henderson, Mahoney, Murphy, Offer, O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poole, Ruprecht, Sorbara.

The Acting Speaker: All those opposed to Mrs McLeod's amendment to the budgetary motion please rise one at a time.

Nays

Abel, Allen, Arnott, Bisson, Boyd, Buchanan, Carr, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Duignan, Eves, Farnan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harnick, Harrington, Haslam, Hayes, Hodgson, Hope, Huget, Jackson, Jamison, Johnson (Don Mills), Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Lankin, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martin, Mathysen, McLean, Mills, Morrow, Murdoch (Grey-Owen Sound), Murdock (Sudbury), North, O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Runciman, Silipo, Sterling, Stockwell, Sutherland, Swarbrick, Tilson, Turnbull, Ward, Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Wilson (Simcoe West), Winninger, Wiseman, Witmer, Wood, Ziembra.

Clerk of the House: The ayes are 19, the nays 83.

The Acting Speaker: I declare the amendment lost.

We will now deal with the motion standing in the name of Mr Laughren, that this House approves in general the budgetary policy of the government. All those in favour of Mr Laughren's motion will rise one at a time.

Ayes

Abel, Allen, Bisson, Boyd, Buchanan, Carter, Charlton, Christopherson, Churley, Cooke, Cooper, Coppen, Dadamo, Duignan, Farnan, Fletcher, Frankford, Gigantes, Grier, Haeck, Hampton, Hansen, Harrington, Haslam, Hayes, Hope, Huget, Jamison, Johnson (Prince Edward-Lennox-South Hastings), Klopp, Kormos, Lankin, Lessard, Mackenzie, MacKinnon, Malkowski, Mammoliti, Marchese, Martin, Mathysen, Mills, Morrow, Murdock (Sudbury), North, O'Connor, Owens, Perruzza, Philip (Etobicoke-Rexdale), Pilkey, Pouliot, Rae, Rizzo, Silipo, Sutherland, Swarbrick, Ward, Wark-Martyn, Waters, Wessinger, White, Wildman, Wilson (Frontenac-Addington), Wilson (Kingston and The Islands), Winninger, Wiseman, Wood, Ziembra.

The Acting Speaker: All those opposed to Mr Laughren's motion will rise one at a time.

Nays

Arnott, Beer, Bradley, Callahan, Carr, Conway,

Cordiano, Crozier, Curling, Daigeler, Eddy, Eves, Fawcett, Harnick, Henderson, Hodgson, Jackson, Johnson (Don Mills), Mahoney, McLean, Murdoch (Grey-Owen Sound), Murphy, Offer, O'Neill (Ottawa-Rideau), Phillips (Scarborough-Agincourt), Poole, Runciman, Ruprecht, Sorbara, Sterling, Stockwell, Tilson, Turnbull, Wilson (Simcoe West), Witmer.

Clerk of the House: The ayes are 67, the nays 35.

The Acting Speaker: I declare the motion carried and that it is therefore resolved that this House approves in general the budgetary policy of the government.

YOUNG MEN'S CHRISTIAN ASSOCIATION
OF CAMBRIDGE ACT, 1994

Mr Cooper moved second reading of the following bill:
Bill Pr120, An Act respecting the Young Men's Christian Association of Cambridge.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

Mr Cooper moved third reading of the following bill:
Bill Pr120, An Act respecting the Young Men's Christian Association of Cambridge.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

SARNIA COMMUNITY FOUNDATION ACT, 1994

Mrs MacKinnon moved second reading of the following bill:

Bill Pr139, An Act respecting the Sarnia Community Foundation.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

Mrs MacKinnon moved third reading of the following bill:

Bill Pr139, An Act respecting the Sarnia Community Foundation.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

1700

CITY OF HAMILTON ACT, 1994

Mr Abel moved second reading of the following bill:

Bill Pr140, An Act respecting the city of Hamilton.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

Mr Abel moved third reading of the following bill:

Bill Pr140, An Act respecting the city of Hamilton.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

COBALLOY MINES & REFINERS
LIMITED ACT, 1994

Mr Murphy moved second reading of the following bill:

Bill Pr143, An Act to revive Coballoy Mines & Refiners Limited.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry?

All those in favour, please say 'aye.'

All those opposed, please say 'nay.'

In my opinion, the ayes have it.

The motion carries.

Mr Murphy moved third reading of the following bill:
Bill Pr143, An Act to revive Coballoy Mines & Refiners Limited.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

COLUMBIA METALS CORPORATION
LIMITED ACT, 1994

Mr Murphy moved second reading of the following bill:

Bill Pr144, An Act to revive Columbia Metals Corporation Limited.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

Mr Murphy moved third reading of the following bill:

Bill Pr144, An Act to revive Columbia Metals Corporation Limited.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

PARKWAY DELICATESSEN
LIMITED ACT, 1994

Mr Phillips moved second reading of the following bill:

Bill Pr145, An Act to revive Parkway Delicatessen Limited.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

Mr Phillips moved third reading of the following bill:

Bill Pr145, An Act to revive Parkway Delicatessen Limited.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

S.A.W. GALLERY INC. ACT, 1994

Mr Murphy, on behalf of Mr Grandmaître, moved second reading of the following bill:

Bill Pr152, An Act to revive S.A.W. Gallery Inc.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

Mr Murphy, on behalf of Mr Grandmaître, moved third reading of the following bill:

Bill Pr152, An Act to revive S.A.W. Gallery Inc.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

PAYS D'EN HAUT WILDERNESS
EXPEDITIONS LIMITED ACT, 1994

Mrs Fawcett, on behalf of Mr Ramsay, moved second reading of the following bill:

Bill Pr155, An Act to revive Pays D'en Haut Wilderness Expeditions Limited.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

Mrs Fawcett, on behalf of Mr Ramsay, moved third reading of the following bill:

Bill Pr155, An Act to revive Pays D'en Haut Wilderness Expeditions Limited.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

ONTARIO ASSOCIATION
OF HOME INSPECTORS ACT, 1994

Mr Mills moved second reading of the following bill:

Bill Pr158, An Act respecting the Ontario Association of Home Inspectors.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

Mr Mills moved third reading of the following bill:

Bill Pr158, An Act respecting the Ontario Association of Home Inspectors.

The Acting Speaker: Is it the pleasure of the House

that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

COUNTY OF KENT
LOCAL MUNICIPALITIES ACT, 1994

Mr Hayes moved second reading of the following bill:

Bill Pr159, An Act respecting the County of Kent and the Local Municipalities in it.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the house that the motion carry? Carried.

Mr Hayes moved third reading of the following bill:

Bill Pr159, An Act respecting the County of Kent and the Local Municipalities in it.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

COUNTY OF KENT ACT, 1994

Mr Hayes moved second reading of the following bill:

Bill Pr160, An Act respecting the County of Kent.

The Acting Speaker (Mr Noble Villeneuve): Is it the pleasure of the House that the motion carry? Carried.

Mr Hayes moved third reading of the following bill:

Bill Pr160, An Act respecting the County of Kent.

The Acting Speaker: Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

Report continues in volume B.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms/Sergent d'armes: Thomas Stelling

| Constituency Circonscription | Member/Party Député(e) / Parti | Constituency Circonscription | Member/Party Député(e) / Parti |
|---------------------------------|--|---|---|
| Algoma | Wildman, Hon/L'hon Bud (ND) Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones | Halton Centre/-Centre | Sullivan, Barbara (L) |
| Algoma-Manitoulin | Brown, Michael A. (L) | Halton North/-Nord | Duignan, Noel (ND) |
| Beaches-Woodbine | Lankin, Hon/L'hon Frances (ND) Minister of Economic Development and Trade / ministre du Développement économique et du Commerce | Hamilton Centre/-Centre | Christopherson, Hon/ L'hon David (ND) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels |
| Brampton North/-Nord | McClelland, Carman (L) | Hamilton East/-Est | Mackenzie, Bob (ND) |
| Brampton South/-Sud | Callahan, Robert V. (L) | Hamilton Mountain | Charlton, Hon/L'hon Brian A. (ND) Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et ministre délégué à l'Assurance-automobile |
| Brant-Haldimand | Eddy, Ron (L) | | Allen, Hon/L'hon Richard (ND) Minister of Housing / ministre du Logement |
| Brantford | Ward, Hon/L'hon Brad (ND) Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances | Hamilton West/-Ouest | Buchanan, Hon/L'hon Elmer (ND) Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales |
| Bruce | Vacant | Hastings-Peterborough | Ziemba, Hon/L'hon Elaine (ND) Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Burlington South/-Sud | Jackson, Cameron (PC) | | Klopp, Paul (ND) |
| Cambridge | Farnan, Hon/L'hon Mike (ND) Minister of Transportation / ministre des Transports | | Miclash, Frank (L) |
| Carleton | Sterling, Norman W. (PC) | High Park-Swansea | Wilson, Gary (ND) |
| Carleton East/-Est | Morin, Gilles E. (L) | | |
| Chatham-Kent | Hope, Randy R. (ND) | | |
| Cochrane North/-Nord | Wood, Len (ND) | | |
| Cochrane South/-Sud | Bisson, Gilles (ND) | | |
| Cornwall | Cleary, John C. (L) | | |
| Don Mills | Johnson, David (PC) | | |
| Dovercourt | Silipo, Hon/L'hon Tony (ND) Minister of Community and Social Services / ministre des Services sociaux et communautaires | Huron | |
| | Perruzza, Anthony (ND) | Kenora | |
| Downsview | Tilson, David (PC) | Kingston and The Islands / Kingston et Les Îles | |
| Dufferin-Peel | White, Drummond (ND) | Kitchener | Vacant |
| Durham Centre/-Centre | Mills, Gordon (ND) | Kitchener-Wilmot | Cooper, Mike (ND) |
| Durham East/-Est | Wiseman, Jim (ND) | Lake Nipigon/Lac-Nipigon | Pouliot, Hon/L'hon Gilles (ND) Minister of Northern Development and Mines, minister responsible for francophone affairs / ministre du Développement du Nord et des Mines, ministre délégué aux Affaires francophones |
| Durham West/-Ouest | O'Connor, Larry (ND) | | MacKinnon, Ellen (ND) |
| Eglinton | Poole, Dianne (L) | Lambton | Jordan, Leo (PC) |
| Elgin | North, Peter (Ind) | Lanark-Renfrew | Cordiano, Joseph (L) |
| Essex-Kent | Hayes, Pat (ND) | Lawrence | Runciman, Robert W. (PC) |
| Essex South/-Sud | Crozier, Bruce (L) | Leeds-Grenville | Hansen, Ron (ND) |
| Etobicoke-Humber | Henderson, D. James (L) | Lincoln | Boyd, Hon/L'hon Marion (ND) Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine |
| Etobicoke-Lakeshore | Grier, Hon/L'hon Ruth (ND) Minister of Health / ministre de la Santé | London Centre/-Centre | Cunningham, Dianne (PC) |
| | Philip, Hon/L'hon Ed (ND) Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto | London North/-Nord | Winninger, David (ND) |
| Etobicoke West/-Ouest | Stockwell, Chris (PC) | London South/-Sud | Vacant |
| Fort William | McLeod, Lyn (L) Leader of the Opposition / chef de l'opposition | Markham | Mathysen, Hon/L'hon Irene (ND) Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs |
| Fort York | Marchese, Rosario (ND) | Middlesex | Sola, John (Ind) |
| Frontenac-Addington | Wilson, Hon/L'hon Fred (ND) Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement | | Offer, Steven (L) |
| | Murdoch, Bill (PC) | Mississauga East/-Est | Marland, Margaret (PC) |
| Grey-Owen Sound | Fletcher, Derek (ND) | Mississauga North/-Nord | Mahoney, Steven W. (L) |
| Guelph | | Mississauga South/-Sud | |
| | | Mississauga West/-Ouest | |

| Constituency Circonscription | Member/Party Député(e) / Parti | Constituency Circonscription | Member/Party Député(e) / Parti |
|--|--|---|---|
| Muskoka-Georgian Bay Nepean Niagara Falls Niagara South/-Sud | Waters, Daniel (ND) Daigeler, Hans (L) Harrington, Margaret H. (ND) Coppen, Hon/L'hon Shirley (ND) Minister of Labour / ministre du Travail | Sarnia | Huget, Hon/L'hon Bob (ND) Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce |
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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No. 169B

N° 169B

ISSN 1180-2987

Legislative Assembly of Ontario

Third Session, 35th Parliament

Assemblée législative de l'Ontario

Troisième session, 35^e législature

Official Report of Debates (Hansard)

Thursday 8 December 1994

Journal des débats (Hansard)

Jeudi 8 décembre 1994

Speaker
Honourable David WarnerClerk
Claude L. DesRosiersPrésident
L'honorable David WarnerGreffier
Claude L. DesRosiers*50th anniversary**1944–1994**50^e anniversaire*

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 8 December 1994

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 8 décembre 1994

Report continued from volume A.

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MEMBERS' INTEGRITY ACT, 1994

LOI DE 1994 SUR L'INTÉGRITÉ DES DÉPUTÉS

Mr Charlton moved second reading of the following bill:

Bill 209, An Act to revise the Members' Conflict of Interest Act and to make related amendments to the Legislative Assembly Act / *Projet de loi 209, Loi révisant la Loi sur les conflits d'intérêts des membres de l'Assemblée et apportant des modifications connexes à la Loi sur l'Assemblée législative.*

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): I made some comments when I introduced the bill, so I won't take a lot of time now other than to say some thank-yous, specifically to Judge Evans, who led a project to develop this legislation. It involved all three caucuses, and some of my colleagues across the way will be making further comments, but we wish to express our very sincere thanks to Judge Evans for not only all of the assistance he has provided over the last number of years to very many members of this place in terms of concerns they've come to him with, but in helping us to put this piece of legislation together, which hopefully will help make the process of dealing with our relationship with the Legislature and the outside world a little more orderly in the future in terms of those things that sometimes become problems.

With that, I'll take my place and hear from some of those who actually worked on the project.

The Acting Speaker (Mr Noble Villeneuve): Questions or comments? Further debate? The member for Renfrew North.

Mr Sean G. Conway (Renfrew North): Thank you very much, Mr Speaker. I want to join the government House leader, and I hope and believe all members, in supporting this very important legislation governing the whole question of conflict of interest and ethics for members of the assembly.

I say to my peripatetic friend from Lake Nipigon, I'm quite aware that His Honour Judge Evans is in the gallery and I want to turn my attention to him shortly.

Hon Gilles Pouliot (Minister of Northern Development and Mines and Minister Responsible for Francophone Affairs): Turn left—

Mr Conway: Pardon me? Well, you know, Ponce de León went in search of the fountain of youth. Some people who might seek out perpetual motion might end their journey at the desk of the member for Lake Nipigon, because in parliamentary terms he is nothing if not active. He scarcely passes a quiet or stationary moment, and I

congratulate him for that energy and that enthusiasm.

But I do want to take a moment to speak to the whole question of conflict of interest and I want to join the government House leader in thanking the members of the assembly who worked on this project under the very capable leadership of our commissioner, Judge Evans.

I think it is a very significant bill that we address today and it also speaks to very real progress that we can report on all sides.

Hon Mr Pouliot: You are too kind.

Mr Conway: I say that, and the member for Lake Nipigon says perhaps I'm too kind. No one has been more judgemental on these matters than I have over the years, so I have to be careful lest someone point out some of my past on these matters. I can think of the days when we fully expected the government would never change and I would stand over here excoriating those terrible Tories, save and except the member for Carleton, who was in reality what he appeared to be: virtue incarnate.

Mr Charles Harnick (Willowdale): Thank God I wasn't here.

Mr Conway: The member for Willowdale says thank God he wasn't here, and the member for Willowdale, like my colleague the member for Mississauga West, together with the government House leader, has worked very hard with staff members to bring about this particular enactment that we will effect today.

Again, I think it is really important, because I understand that Judge Evans, should this bill pass, has the hope and expectation of doing some public education in perhaps the intervening months between now and when Her Majesty's writ of election is offered by the first minister. I think that's also very important. I don't know whether that's true, but I heard someplace in the last few days that that was the commissioner's hope, and I totally support him in that.

You know, we have gone in this last decade from being a province which was, I like to say in some of the classes I do, the Albania of the free world, where every election was one greeted by: "Well, the Tories will win, and the real issue of the election is, who'll be in second place? Will it be the Liberals? Will it be the New Democrats?"

Mr Norman W. Sterling (Carleton): That's the way it is this time.

Mr Conway: The member from Manotick says, "That's the way it will be this time." Well, I think it is a very brave, perhaps unwise person, who would make that declaration. I know I don't intend to. But we did have a situation where in this provincial political culture, only one party had been in government for over four decades.

In that wonderful book of his, Jeffrey Simpson describes the discipline of power and the converse, the kind of reckless disposition of the opposition, a permanent opposition, which never expects to be in government, has no memory of being in government, so then behaves in a way and offers policy that reflects an opposition mentality.

One of the really useful aspects of the last decade, painful though it has been for I think all of us at times, is that each of the major parties—the Tories, the New Democrats and the Liberals—have now all had their day in government. I think that has been a very important, useful and positive aspect of the maturation of the Ontario political culture. We have all made our mistakes, and what I like about this bill today is that it builds on the mistakes we have all made.

I can remember those days in the early 1970s when the dynastic Ontario then Progressive Conservatives were rocked by what we called scandal.

Mr Tim Murphy (St George-St David): Gerhardt Moog.

Mr Conway: My friend Mr Murphy from St George says Gerhardt Moog. I mean, we think of it now as—

Mr Sterling: It's ancient history.

Mr Conway: Well, it is ancient history, but not that ancient.

Mr James J. Bradley (St Catharines): Who did he play for?

Mr Conway: Not that ancient. Because I like to remind honourable members that in that case we had a Premier—who's a fine fellow. In spite of some of what I might have said in the exuberance of my adolescence—

Mr Harnick: You can't take it back.

Mr Conway: And I can't take it back. I think Bill Davis was a fundamentally honest and honourable fellow, but he did some things that were—

Mr Bradley: Where's Bill when the Tories need him?

Mr Conway: He's now working for Bob Rae at the Ontario International Corp.

But I want members to reflect for a moment about what we had in the case of the so-called Canada Square-Moog affair of the early 1970s, and we had a select committee of this Legislature to deal with it.

We had the situation where a very generous government contract was let to a company headed by Mr Moog, I think on an untendered basis, but it was certainly on a very favourable basis. It was revealed in both the public press and in this Legislature through a select committee, I think chaired by John MacBeth, that at one point we had the then Premier, Mr Davis, and his friend Gerry Moog travelling around Europe together, and they ended up in a Swiss bank, together in a boardroom, with the Premier, as I think the testimony went, at one end of the table and Mr Moog and the bankers at the other end of the table, and of course ne'er the twain shall meet.

The official testimony of the government of the day was, "Well, there really wasn't any conflict." Well, there may not have been any conflict in the mind of the honourable Premier, but it certainly stretched the imagin-

ation of witnesses to imagine that those Swiss bankers didn't draw their own conclusions about the relationship between landlord and tenant, the landlord being Mr Moog, the tenant being Mr Davis in right of Her Majesty's loyal provincial subjects in Ontario. That was just one example from that administration.

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The Liberals were in office for five years. You all know we had our problems, and I'll cite a couple of examples.

Mr Sterling: Why not do more than a couple?

Mr Conway: Because, I tell you, I can lacerate just about anyone in here who wants to try to play the game of one-upmanship in this. So if anybody wants to start it, I guarantee you I will finish it in a way that the progenitor may not like. We are all of us not without sin.

I'll tell you, nothing is more painful than having to sit with friends and colleagues and tell them that it's over because, for whatever reason, they operated outside the rules as they were written and were generally understood. We've all been there, at least I have been there, and it hurts, because you know these people and to the best of your knowledge they're good people with good intent. Yes, there are cases. I'll get to that in a moment, but it was one of the most difficult and painful experiences I had in government to see good people walk out the door in the midst of one of these scandals.

Hon Mr Pouliot: The Ken Keyes story.

Mr Conway: Oh, the Ken Keyes story. In my retirement, I tell you, I will write that story.

Mr Bradley: There's more to it than you will ever know.

Mr Conway: Boy, if what I have been told is true, there is really a story there. My colleague Mr Keyes certainly did some things he ought not to have done, but I'll tell you, like most icebergs, there's a hell of a lot under that water line.

René Fontaine was and is a good friend of mine and certainly his problems are well known. That's why I particularly liked what I heard was the commissioner's intent, which was, during the period of the winter-early spring, to engage in some public education, because in the Fontaine affair, it wasn't all Mr Fontaine's fault. The government of which I was a part was also at fault, because the rules were clearly imprecise at the point when we formed that government in the spring-early summer of 1985.

Hon Mr Pouliot: Where were the lawyers?

Mr Conway: The trouble was, I say to my friend from Lake Nipigon, the lawyers were there and the bureaucrats were there. We were new to government.

I have to say this: It is easy for those of us who are single and impecunious, like moi-même, to skate through this channel. One only has to look at my colleague from St Catharines. You can't support a girth like that on stale bread and water.

Mr Bradley: Madam Speaker, on a point of privilege: My suits all fit, and second, I want to indicate that they're at least in style.

The Acting Speaker (Ms Margaret H. Harrington): The member for Renfrew North would like to continue.

Mr Conway: A point well made, I say to my friend from St Catharines. But it is easier for some of us to fit into these rules. If you are single, if you have no business interests, if you have no professional association, it is easier.

Mrs Joan M. Fawcett (Northumberland): If you've never had a job.

Mr Conway: My friend Mrs Fawcett says, "If you've never had a job." I fit most or all of those categories and it is easier.

My cousin-in-law Mr Yakabuski was for 20 years the member for the other part of Renfrew county. He was in public life for 25 years at enormous sacrifice to himself, his family and certainly the family business.

René Fontaine fitted into the same category, a very active businessperson in northwestern Ontario. In his case, he had a particular problem because his business involved crown timber licences. There is just no more delicate and sensitive area. In retrospect, I often think the great mistake we made with our friend Fontaine was not to say, "You can't serve in the cabinet, so stay home." I'm not so sure that's not advice I wouldn't give, and under these rules now, it's much more clear.

But people are recruited, and we've all done it. The former member for St Andrew-St Patrick got into that imbroglia over apartment units or whatever. Again, my advice to anybody: If any of you wants to be in politics and in this Legislature and in cabinet, you can't be in the rental business. Just get out of it. You'll never be able to escape the public impression that you're somehow player and umpire in the same game.

But I make this point simply because I remember the Fontaine problem and part of that problem was the imprecision of the rules and a very great confusion on the part of those of us who were in cabinet, the senior political assistants and certainly people in the Department of Justice at the time as to what the rules meant.

We had others. We had my old friend, Joan Smith—not for the first time. I mean, I can tell you, Madam Speaker—

Mr David Winninger (London South): Nominated again.

Mr Conway: Nominated again, well, of course. Darcy McKeough made a mistake, left the government in 1972 and there was no question, none whatsoever, about the absolute inadvertence of what W.D. McKeough did that day in 1972. I've got to say to the old Duke of Kent, he, in the best traditions of the British Parliament, exited the scene immediately, accepted full responsibility and walked out at a time when his political career was very much in the ascendant. Peter Carrington, Lord Carrington, did that in Britain. There are not too many politicians who've done it, and certainly McKeough, with whom I didn't always agree, did something that was very courageous and gutsy; and, I want to say, so did the Minister of Housing that day a few years ago, Ms Gigantes, when she inadvertently—we've all had our problems.

I should just take a word to talk a little bit about the

NDP, because I think it's fair to say that the New Democrats do come, by and large, from a different tradition than the terrible Grits and the terrible Tories. They imagined that interest and conflict was essentially a matter of pecuniary interest—money. You know, those Liberals and Tories must be in bed with some developer. Isn't that the way they operate? They must be in bed with some professional association that is somehow going to undermine the public interest. What we have seen, of course, in the last three or four years is that the prophets and the saints in the world of new democracy too have come to government, and gee whiz, they are apparently as human as the rest of us. Their sins are different in some respects.

Hon Mr Pouliot: Ah, no money involved here, never.

Mr Conway: Well, no money involved. It's just been interesting to me, when I have looked at good people in the NDP come to trouble because they too didn't understand what some of the realities were, what some of the language meant and what some of the judgements involved. I guess that's one of the things that I would offer, and it's simply this: No matter how you write the rules, there is absolutely no substitute for experience and judgement.

The thing that has always struck me about conflict of interest—and again I want to congratulate our current commissioner, people like John Aird. Do we have anybody else? Am I forgetting anybody? John Aird and the current commissioner are the two who come to mind. They have done a wonderful job. They have given the lectures, and some of us also—and we've all taken the lectures and there's no doubt in my mind that people understood what was being said. They understood it in a kind of theoretical and abstract sense, but some months later, you would find a colleague, a friend, an adversary in another party in trouble and you'd say, "Well, how did that happen?" Often the answer was that people didn't understand, by virtue of their inexperience or their particular world view, that that's what that rule meant.

I remember reading a few years ago in the Wall Street Journal, a major paper done, I think it was by the Wharton School at the University of Pennsylvania, about the problems that were afflicting the business community. How come, in the early to mid-1980s, so many American business executives were getting into "ethical problems"? One of the findings of that study—I remember it well and I thought at the time, "It's a little peculiar," and after a little while in government and some of the problems we've faced, I understood what was being suggested—as I remember it, was that again, people, in the daily discharge of their responsibilities, didn't recognize the fork in the road. They didn't even realize that there was a choice to be made. Of course, when it was pointed out to them that they had made the wrong choice it was too late.

1730

That's the point that has to be underscored, that we have very good legislation here that I'm proud to support, that we have all learned a great deal about the practical realities of public life. We have all lacerated each other about our failings, and to a certain extent that's got to continue, because there is a dialectic in the parliamentary

system that expects and demands the government to do certain things and the loyal opposition to resist and to point out the failures and foibles such as we see them.

I think we now all much better understand some of the dilemmas, some of the problems, and what I like about this particular bill is that it contemplates, I think in the preamble—I want to take a moment to read the preamble:

“It is desirable to provide greater certainty in the reconciliation of the private interests and public duties of members of the Legislative Assembly, recognizing the following principles:

“(1) The assembly as a whole can represent the people of Ontario most effectively if its members have experience and knowledge in relation to many aspects of life in Ontario and if they can continue to be active in their own communities, whether in business, in the practice of a profession or otherwise.

“(2) Members’ duty to represent their constituents includes broadly representing their constituents’ interests in the assembly to the government of Ontario.

“(3) Members are expected to perform their duties of office and to arrange their private affairs in a manner that promotes public confidence in the integrity of each member, maintains the assembly’s dignity and justifies the respect in which society holds the assembly and its members.

“(4) Members are expected to act with integrity and impartiality that will bear the closest scrutiny.”

I think that is a very, very good preamble and I want to underscore a couple of its points. It is contemplated that the assembly will represent the community at large, that we do not intend, by statute or regulation, to effectively disqualify people from coming here to represent their communities, whether it’s west Toronto, north-eastern Ontario or the beloved Ottawa Valley. I have worried in recent years that some of the rules that we have contemplated and that we have offered up effectively disfranchise a whole group of people, a whole class of people.

To give the current government its due, it has brought to this Parliament, to the assembly, some refreshingly new people. I look across and I see the member for Chatham-Kent and, you know, he has been a lively and spirited member of this assembly. There have been some different people in this assembly who I think have in fact enriched the environment.

Hon Mr Pouliot: You mean ordinary people.

Mr Conway: In a sense, yes. Quite frankly, what does “ordinary people” mean? We know, for example—

Mr Bradley: Ed Broadbent used to say “average.”

Mr Conway: Yes, but seriously, we’ve had over the decades, and I think the sociologists would prove this point, by and large, parliamentary cultures that have been essentially given over to white-collar male professionals and farmers and business people. That’s changing. We have more women, we have more people from other groups in the community, and that I think is a good and important thing.

As well, attitudes have changed. When I was first

elected here, I think of it now, it was surprising how many people—and I’m glad to have the inspector general of public finances now join us because he will remember perhaps even better than I—when I was first elected in 1975, the mid-1970s, it was surprising the number of honourable private members who would confess to having chatted with the local constabulary on behalf of a constituent, a good person who had just perhaps blown a little more into the breathalyser than the law allowed, but, “You know, Harry was a good fellow and Harry just asked me to do it.” Now, you realize I wasn’t—much less of this was ever reported than I sensed was the case just listening to the breakfast chatter downstairs. We had a couple of celebrated cases in the early 1970s that made the point.

We had André Ouellet—remember him?—calling the judges about, I forget, some case involving Atlantic Sugar or something, I think it was. Here’s a lawyer—

Mr Bradley: What he did was he made disparaging remarks about the judge.

Mr Conway: That’s right. He made some—well, in the presence of Judge Evans. Then we had the Solicitor General of Ontario, a very fine fellow, George Kerr, call a crown attorney, I think, just to find a little something out about—I think a constituent. George was—

Mr Winninger: Jean Charest.

Mr Conway: I’ll come to that. That was—

Interjection: Moving right along.

Mr Conway: I say to honourable members, that was 20 years ago. I think with one notable exception, to which some reference has just been made, we have now, more or less all of us, understood, “Thou shalt not call the cops irrespective of who it is.” Don’t call the cops and never talk to the judges, save and except our esteemed commissioner.

Hon Mr Pouliot: That’s because he knows us.

Mr Conway: We can all laugh because you think, “Well, we’ve all learned that message.” I have never met a more estimable fellow than Jean Charest, a very bright, good guy. I was stunned a few years ago when—I think it was 1990 or 1988—Jean Charest, lawyer, federal minister, good guy, from Tokyo phones a judge someplace. I said, “God.” Now, if Jean Charest hadn’t figured it out—there may be more to this story, and there probably is, but it tells me that we still have to work at public education. Because what are Gordie Mills and I to make? Neither of us is an esteemed member of the Ontario or Quebec bar, but it does move along. We now realize, I think all of us, that you simply can’t do some of those things.

The Starr affair, I think, certainly taught the Liberals a few things about what you could and could not do around fund-raising. That experience certainly left a legacy and left a message that I—

Mr Anthony Perruzza (Downsview): Cool your beer in your own fridge.

Mr Conway: My friend says, “Beer in your own fridge.” That’s true. Again, if you want and I’m not going to abuse the time of the House today, but that happened. It was unfortunate and it was regrettable. I

never thought I'd live to see the day that somebody at the rank of deputy minister in the Office of the Premier would do what John Piper was reported to have done. I'm sure the current Premier was not very happy. And it happens, and you say to yourself, "How does it happen?"

That's the kind of body of common law that builds up around here that hopefully makes us all the wiser. We have, I think, learned some important lessons. I won't bore my friends with it because I'm always waving a book, but you could do worse over Christmas than to get from the legislative library a wonderful book, a great book, one of the great books on Ontario politics—

Mr Bradley: Rae Days?

Mr Conway: No, no, no. This book was published in 1990 by the University of Toronto Press and it's called the Beauharnois Scandal: A Story of Canadian Entrepreneurship and Politics. It's written by a very fine scholar named T.D. Regehr.

This book details a story of how Canada's most successful Prime Minister, W. Lyon Mackenzie King, together with a couple of very prominent Ontario premiers and including a former—we had Mackenzie King, we had Howard Ferguson, we had George Henry, two very significant Ontario politicians, and Arthur Meighen. You ought to read this. You ought to read what went on here just 50 years ago. Talk about conflict of interest. By today's standard, it is incredible and unbelievable.

A Premier in the Depression with \$50,000 worth of stock in a nearly defunct private power company that was rescued from the brink by the government of which he was the leader and he said, "You know, I didn't even know I had that stock." You can imagine what that message was like in the Depression in this province, and Mackenzie King, he never came closer to being run out of politics than, as he said himself, "My trip through the valley of humiliation that was Beauharnois."

So we've made progress. I think too few people understand just what it was like not too long—and we continue to make progress. I simply want to say that it is a matter of learning from that experience, building on that.

1740

I want to take a moment to say that I don't think we have ever been more well and ably served than we have been served by Gregory Evans in these past years as our commissioner of ethics, because I think Judge Evans has brought to this deliberation—and I know it has not been easy. My goodness, trying to arbitrate among three contending political parties about these questions is the stuff of Solomon and sainthood. Now, I don't want to elevate the commissioner to perhaps the level of sainthood, though his Timmins background might very well justify some of that.

Hon Floyd Laughren (Deputy Premier and Minister of Finance): You can leave me out if you do.

Mr Conway: The Minister of Finance says, "Leave me out if you do." But I know Judge Evans has brought his good sense, his great judgement, his wonderful experience and his humanity to this task, and that's so important, because we are so quick in the business of politics—of course I as much as anyone—to find fault

and to point the accusative finger without understanding what the experience of government teaches, and that is the nuance of the situation. There is usually, almost always, more to this story than meets the eye.

I think it is fair to say, I say to my friend the Minister of Finance, that if the NDP had it to do all over again, it would substantially amend some of its initial offerings on this subject. In fact, they have done so by bringing forward this conflict-of-interest legislation today, and I think that is very commendable on their part. I know, and I said it a few moments ago, I wish we could redo some of what we did and didn't do in the mid-1980s, because some of my colleagues would not have been scarred to the extent that they were.

I want to congratulate and thank Judge Evans. I encourage him and I encourage all members of this assembly and those in each of the political parties who now seek to go out and recruit new people to consider contesting the upcoming general election, because one place where I think we have a lot more work to do is to do what Judge Evans wants to help us with, which is to educate people who are thinking about running for public office as to what's involved, what the rules are and what the application of those rules will be, not just to the putative member but to his or her spouse and family.

Who'll ever forget Jane Crosbie a few years ago saying defiantly, "Well, my husband is in politics, and I don't intend nor do I feel it right that I should be exposed in ways that infringe on my privacy"? I think Jane Crosbie had a point. Now, I'm not at all sure that that's a point you can win with today, but I'll tell you, it is a much easier thing to have that discussion and that debate before the candidate makes a final decision to seek office. Anyone here who has ever been in a cabinet will agree with me that it is a far better thing that you think this through before you accept the summons to join the executive council.

I want to say this, and it's not said often enough. There are some people in all parties who should do what the famous Toronto lawyer Arthur Slaght did 50 years ago. He looked Mackenzie King in the eye and said: "Prime Minister, your offer to join the cabinet of Canada is indeed a flattering and distinguished one. But upon reflection, I, Arthur Slaght, have decided to say no. My reasons are simple. To join the cabinet of Canada would cause me, would force me, to surrender"—what he described very, very modestly as his bohemian lifestyle. He shocked Mackenzie King in a way that no one ever did before or after. He said thanks but no thanks, and he remained outside the cabinet.

There are some people in all political parties who should follow that advice, because we all have stallions who must ride alone or people who have associations, characteristics, qualities, bank accounts, who knows, that just probably make it wise and useful that they stay outside cabinet.

It's a serious point. Some of you who are again a bit older might remember that situation with Francis Fox, a very bright, capable young member of Parliament, who accepted a summons from the Prime Minister of Canada to be the minister of police for Canada at a time when

the RCMP were every day in the news with barn burning and all the rest of it.

It's obvious, from what I know, that the putative Solicitor General, Mr Fox, did not volunteer to the Prime Minister, "There is something in my past that is a skeleton that is going to cause some problems." I don't mean to impugn the integrity of Mr Fox. I think he's a wonderful fellow. He came back to serve in other capacities, but it is inconceivable to me that somebody with a distinguished legal background would not have volunteered that information to a Prime Minister who was about to appoint him to a truly hot spot in the then government of Canada.

I think it is the experience of most first ministers, quite frankly—I don't know what others' experience was—that those days when you are preparing the cabinet and you order up the file on James J. Bradley, for the sake of argument, and you get the file and you say to yourself, "Is it possible that any 45-year-old could be this virtuous?"—and the answer in that case is yes. But there are circumstances where the evidence is either incomplete or some of the background isn't volunteered; in that case there is a responsibility that falls on a member that is significant. If you don't level with the Prime Minister or Premier, there is a problem, not just for you but for the corporate good. But again I think, coming back to the point I was making earlier, experience is a great teacher.

There is, I am sorry to say, no substitute for judgement. When you think about some of the things that have happened—we get into these debates from time to time and you think, "Surely the rules intend this," or "There should be a rule for this." But you draw back and, upon reflection, say to yourself, "Can you imagine anybody of sound mind actually doing this?" I found myself most of the time sitting there going, "I'd never write a rule for this," because I couldn't imagine that anybody would ever do this or do it in quite this way.

That's why I long ago gave up what I think for a while was an NDP predilection: Just write the rules tighter and tighter and more elaborate. As Chaucer told us in that great tale of the trip to Canterbury, humanity is a multifaceted wonder and it will do things in ways and places and at times that are completely beyond anticipation.

So I simply say to the assembly and to those who want to come here that there is a very significant role for just good sense and judgement. My own experience in these matters is that if your gut tells you that it's not right, don't do it and don't go looking for a rule. Coming back to some of the problems of the recent past, some people have gotten themselves into a great deal of trouble for not very much—you know, a fridge, a few hundred bucks.

Mr Perruzza: A roof.

Mr Conway: Pardon me? A roof?

The literature is quite rich on this. I always remember that great line from the film *A Man for All Seasons*.

Mr Bradley: Isn't it nice to be so virtuous over there, though, eh?

Mr Conway: Well, no. I'm trying to be fair in this observation.

Mr Bradley: No, I'm not talking about you. I'm just

talking about Mr Virtue in the front row with his interjections.

Mr Conway: Well, I say this from some experience, I want to say to the Finance minister: If I'm around again for another government, there's one thing—

Mr Perruzza: I want to hear the *A Man for All Seasons* quote.

Mr Conway: Well, let me just tell you. There's that great scene, if you remember, that Thomas More has been perjured by the foppish Sir Richard Rich, who sold his soul for a minor appointment in the King's giving. As the foppish Sir Richard Rich walks off the witness stand and he goes by More, played by the great Paul Scofield, Scofield, in the name of More, says, "To sell your soul and gain the world, perhaps, but to sell your soul for some junior office in Wales?"

I guess the point I make is that people have in fact seen their political careers, and to some extent their reputations as honourable men and women, undercut by some of the most trifling things. I simply say that judgement is very important and I think judgement is a function of experience and education.

1750

As I take my seat, I simply want to say again that we have a very important bill before the assembly. It's not so much for our benefit today as it will be for the benefit of those who come after the next general election.

I want to congratulate the members who worked long and hard: the government House Leader, Mr Mahoney, Mr Harnick, and perhaps most of all Judge Gregory Evans, who has driven this process relentlessly but constructively and who, upon the passage of this bill, has agreed to move forward with what I think is an equally important aspect of this process, namely, a very good public education of the members of this assembly and any man or woman who will seek to join the place upon the return of the writs next spring or summer.

The Acting Speaker: I thank the member for Renfrew North for his remarks. Questions or comments to the member?

Mr Murphy: I'd like to briefly add my congratulations to his Honour Judge Evans, whom I've known some time and who has known members of my family for some quite longer time than that, exchanging courtroom antics—

Mr Conway: Conflict.

Mr Murphy: The member for Renfrew North says, "Conflict." I just wish I had something to be conflicted about. But I do want to say that I think this is a good bill and one that will advance the interests of an array of involvements by members and participants from all across the spectrum in politics.

I was involved this past summer with a committee in which we spent hundreds of thousands of dollars of public money in a process that I thought could have been handled better and ably under the kinds of provisions this bill holds. I suspect I know what the outcome would be, and this bill provides the opportunity for an advance opinion, for the opportunity to seek from the commissioner, who is an able individual, the kind of judgement

that needs to be brought to bear on those situations, who understands the role of politicians and politics to pursue the interests of the constituents and who, at the same time, understands the balance between the Legislature, the executive and the judiciary, those three branches of government and how sometimes they should intertwine and sometimes they should not. I think the provisions of this bill will be a help to whomever forms the government.

I wanted only briefly to pay credit to the individuals involved in drafting it: the members of this House, people like Rick Weiler from our legal brain trust, as well as the commissioner and his able assistant, Lynn Harris, who I think have done an excellent job and brought forward to us in this House a bill that not only will we all support but I think future prospective politicians will thank us for.

Hon Mr Laughren: I want to express my appreciation to the member for Renfrew North for his comments. They were, as always, interesting and thoughtful. Primarily, though, I'm on my feet to express my appreciation for the way in which this bill is going through the assembly—I think it's an important piece of legislation—and to express my support and gratitude to Judge—I don't know why we still call him "judge," but Commissioner Evans. I asked him one time if we were still supposed to call him "judge." He didn't know why people did.

Interjection.

Hon Mr Laughren: There you go.

It's Commissioner Evans. I never thought I'd see the day that I would actually enjoy my annual visits to a Conflict of Interest Commissioner. I'm going to use a phrase he used to me one time to express the view as to why I perhaps enjoy my annual visit to the commissioner: It's largely because he's as delightful as a bag of hamsters.

I want to express my appreciation to all members for the way this bill is being expedited and to the commissioner.

Mr Bradley: I would like to commend the member for Renfrew North on his remarks, which I think capture best the need for this legislation.

I am pleased that we have all three parties agreeing to move it through all three readings today. That's a clear indication that there is support among the members, and of course as we go into an election campaign, it will be important for whichever government is elected, whichever party comes to power after the next election, to have such laws in place and to have the commissioner be able to deal with these over the next few months.

I also want to remind the member for Renfrew North of another lesson that came from A Man for All Seasons, and that is a statement that I have tried to remember in public life that goes something like, "When a man makes a decision which is against his conscience for the good of the state, he is not true to himself or to the state." That is probably a good principle to follow when one is in public office, to make that judgement based on whether it is acceptable to one's own conscience and to the dictates of one's own conscience as well.

This is helpful legislation. What I like about it is that

it's legislation which comes from all three parties, the support from all three parties, the ideas from all three parties, and no one is particularly laying claim to it as that party's alone. It is something for all members of the Legislature. I certainly appreciate and will support the speedy action on this bill today.

Mr Sterling: I want to use these two minutes, number one, as I think the member for Renfrew North has some considerable experience with regard to a number of breaches of conflict or perceived breaches of conflict which have—

Interjections.

Mr Sterling: Not experience. I'm sorry. I should have said knowledge. At least—

Interjections.

Mr Sterling: Excuse me. I didn't mean it that way, although he was getting serious at one point in his speech where I thought he was going to take out the knives, but at any rate he sheathed.

What I wanted to say was in terms of the people who worked on this bill. I know Judge Evans has been lauded for his efforts, but I wanted to mention that there were three other people, one from each party. Our party's representative was an MPP, whereas the other two parties had other designates. I think it's important that as a representative of our party I thank Charlie Harnick who worked, along with these other two designates, a tremendous number of hours, a tremendous number of meetings.

One of the comforts in passing this in three readings in one day is the fact that I can turn around to Mr Harnick with the knowledge that he and these other two representatives, I believe it was Mr Bennett and Mr Weiler, have gone through this with a comb, and therefore I expect that even though I haven't had the same kind of opportunity I would in a normal legislative process, I don't have to worry about it. I just wanted to congratulate Mr Harnick for all of the hard work he's done on our behalf on this bill.

The Acting Speaker: The member for Renfrew North has two minutes to respond.

Mr Conway: I want to thank all of my colleagues, and I want to associate myself again with the comments of all members and just add a word, that while Mr Mahoney was certainly our representative, Rick Weiler was supporting him, and I think that Eldon Bennett represented the government caucus and the esteemed member for Willowdale, and they did. They did very good work and I want to congratulate them for that.

The member from Manotick is right, I have had some experience and it's been very painful. If you've ever had a friend, a colleague you've had to see walk out the door because of inadvertence or miscalculation or misjudgement, it hurts. I don't care who you are, I don't care what party you belong to, it's not something in which you take a great deal of joy or pride. Sometimes you say to yourself, "God, I hope I wouldn't make that kind of a mistake."

I remember for a time being acting Minister of Government Services. There would be piles of these bloody documents that the minister had to sign, and that was the

day I understood Darcy McKeough's problem and how that could happen quite accidentally. So I just simply want to say that I've had some experience; it is never pleasurable. Part of that experience leads me to support this bill because it does help to clarify the rules, provide for good education and leave some room for judgement and flexibility under the wise counsel of someone like our current commissioner, Judge Evans.

I just simply would say in conclusion that, on this subject, it is a useful thing to remember what someone once observed, that all saints have a past and all sinners have a future.

1800

The Acting Speaker: Further debate.

Mr Harnick: I am very pleased to be able to rise today to speak about a bill that I had a small part in drafting. This bill is very much a bill that belongs to the Honourable Mr Justice Evans, who I will continue to refer to as His Lordship. This is very much his piece of legislation and, as I said, I had a small part in helping to create the new Members' Integrity Act. I did this with the representative of the NDP caucus, Eldon Bennett, and with the representative of the Liberal caucus, Rick Weiler, and I just want to say a word about each of those gentlemen for the record.

It was, for me, an honour to be able to work with two such skilled counsel so truly learned in the law, and it made the sessions that we spent with His Lordship very stimulating, very interesting, very philosophical in many respects, to be able to delve into this and put the pieces of this rather large and, I suppose, complicated puzzle together. I very much enjoyed the opportunity to work with them and, as well, to work with Mr Justice Evans, who was truly a delight.

I can tell you that we used to start these meetings generally at 5 or 6 in the evening and at 11 o'clock we would finally have to ask Justice Evans if we could be excused because we were too tired to carry on. He would look at his watch and say, "It's only 11 o'clock," and there was more work to do. We would have to beg him to let us go because we couldn't think straight, and he was just getting warmed up.

I also want to say a word about his executive assistant, Lynn Harris, who really had to continue to record all of the thoughts that we had as we had them so that we could ultimately put them into some comprehensive form. Her work and her insight and her input, her suggestions, were invaluable.

To Mr Justice Evans, I don't know where he finds the energy, but truly, this is his bill. This bill is really a reflection of the judge and it's a reflection of someone who took an appointment and really looked at what his mandate was and said, "I can do better. I can make this better and I can make it better for every member who sits in the Ontario Legislature now and in the future." He accepted that mandate and very much completed it by the development of the Members' Integrity act.

My colleague from Carleton, who is, to say the least, one of the most inquisitive people that I have ever met, reads this act and with every section that he reads, he

asks me a question. Fortunately, I was paying enough attention as we wrote the bill to know that the question was answered two or three sections down the line, so that as he's asked me and interrogated me, in order to win his support for this bill, I've been able to say to him: "We answer that question. We recognize that problem. That problem is dealt with." I think this is very much as a result of the process that we followed and the guidance we received from His Lordship.

This bill reflects his personality, his mandate, his particular nature and exactitude, the fact that this bill is so precise yet it is so benign in terms of the way it will treat members of this Legislature. I hope that everyone who is presently an elected member and anyone in the future who becomes an elected member will read this bill, because, yes, there is a certain element of legalese to it, but the bill flows. The bill answers the questions that we all need answers for so that we don't have to say at the end of the day, "There but for the grace of God go I."

Because what the member for Renfrew North said and the examples that he used were very true. It's part of an opposition member's job to scrutinize the government, and the NDP for many, many years did that very well in the opposition. I know that there is a level of resentment when you're now in government and you're the party and you are the ministers who are being scrutinized, but the fact is, from our point of view, it's not fun to be in the opposition hammering away at people whom you see in the cafeteria at lunchtime, whom you've sat on committees with.

I remember the discomfort that I felt during a time when the former Minister of Northern Development was involved with the particular issue in Sudbury with the doctor and there I was, after days of hammering away in the Legislature and trying to force this to a committee for further scrutiny, standing beside her in the line at the salad bar at lunchtime days before the Christmas break. It's a very, very uncomfortable feeling because, as far as I was concerned, we on this side of the House were doing our job and sometimes your job is unpleasant. The purpose of this bill is to help ministers and members avoid the pitfalls.

I'm glad the member for, if I can find it on the little map, York Centre is in the Legislature, because when I first arrived here, Mr Sorbara and I were on a committee together and almost one of the very first issues that we dealt with in the justice committee was the conflict-of-interest issue and the Premier's guidelines. We know the difficulty that those guidelines have caused a number of people sitting in the government benches and we really started off in that committee, the first committee that I was exposed to, discussing issues pertaining to conflict of interest.

The former Attorney General was also on that committee and he had some very grave concerns about the conflict-of-interest guidelines that the Premier had put before the Legislature and had imposed on his cabinet, because the former Attorney General, in his wisdom, recognized that those kinds of guidelines would be limiting to the kinds of people who would be able to serve in this place.

The proof of what the former Attorney General, Mr Scott, was saying was quite evident as the guidelines wove their way through the cabinet of Bob Rae. The cabinet of Bob Rae was really racked by the results of those conflict-of-interest guidelines because they didn't reflect the real world. They reflected Bob Rae's idea of running a government and a cabinet from the opposition benches.

I'm biased because I was one of the co-authors of this document, but I can tell you that what is in here is better than what was in Bob Rae's guidelines, seven days of the week, quite simply because it's understandable, it's fair and it reflects the real world that we as members of the Legislature and members of the executive council live in. I'm very hopeful that will be, really, the course of history for this practical piece of legislation.

1810

We wrestled with a lot of very difficult concepts, concepts about whether members could contract with the government, issues dealing with members who had contracts with the government at the time they were elected and entered this place; we wrestled with issues dealing with land holdings and corporate holdings; we wrestled with the ideas of divestiture versus disclosure. I can't tell you the number of hours we wrestled with the idea of disclosure or divestiture of family property because there happened to be a family business closely held. We talked about that hardware store someplace in Ontario that a husband and a wife might own and one of them comes to the Legislature, and the existing rules indicating that the one spouse partner had to divest of his or her interest in the hardware store yet come home to the hardware store every weekend and pretend they had no involvement or knowledge or anything of that regard.

We wrestled with all these issues and we attempted to come up with practical solutions. We attempted to come up with solutions that reflect the real world, and I believe we've done that. We've done that because in many ways and in many situations we have left some of the important decisions to the discretion of the conflict commissioner, now to be known as the integrity commissioner. That, we found, was probably the best way to deal with most of these issues. We have hard and fast rules, we have exceptions to those rules, and we have even further exceptions to those rules, when they fit and when they're practical, that leave certain issues to the discretion of the integrity commissioner.

I remind you of the former leader of the Liberal Party Mr Nixon, who owned a family farm and owned it in partnership with his wife. Eldon Bennett, who was on this committee with me, often told the story of Mr Aird, the then conflict commissioner, telling Mr Bennett that it would be his duty to call up Mr Nixon to tell him he had to put his share of the family farm that he came home to almost every night of the week in a blind trust. Can you imagine anything so absurd?

These are all issues and practical matters that we dealt with. We spoke at length about members such as René Fontaine who had extensive holdings when they came to this place and the necessity of dealing with those holdings in a way that didn't penalize the member but per-

mitted the member to carry on in cabinet and have an opportunity to serve the public of Ontario. We talked about those kinds of issues at great length.

This project took I believe in excess of a year and probably closer to two years. We tried to leave no stone unturned and we tried to deal with all of the practical implications. We tried to deal with, and I don't want to name names, the different people who serve in this Legislature who have very unique backgrounds and very unique situations in which they came here, and you say, boy, they all make a very significant contribution to the life of this province when they sacrifice and leave their holdings and leave their businesses and come here to serve the public, regardless of the side of the Legislature they sit on.

We were very cognizant of that, we were very cognizant of the fact that we did not want to come up with a piece of legislation that would preclude anyone from serving the public.

Quite frankly, and I don't say this in any critical sense, Bob Rae's guidelines failed in that regard. They were, I think, having studied this area somewhat more extensively than I ever dreamed I would, a very dangerous precedent, a dangerous precedent for the future because of the limiting factor they imposed on whether you could ever serve in this place, and dangerous to the people who had to deal with them. Ask some of the cabinet ministers who had certain holdings, who had to divest, who got caught not understanding the rules and the intricacy of those rules.

This bill I believe solves those problems. I believe this is going to serve the public of this province exceedingly well and I think it will serve the members of this Legislature and legislatures in the future exceedingly well.

I really don't want to go through the act in any detail. I suspect my inquisitive colleague from Carleton will do that to some degree, because I've been watching him for the last several hours making notes in the margin and underlining and comparing sections with the existing conflict act to the new integrity act, and I know he'll have some interesting insights. It's interesting, as I said before, that he hasn't been able to stump me yet; he hasn't been unable to find an answer two or three sections later that answers some of his queries. If you can satisfy the intuitiveness of the member for Carleton, you're a long way to satisfying the intuitiveness of the public, I believe, when it comes to these kinds of matters.

I wish to close by thanking my leader for asking me to serve on this committee. I'd like to thank Mr Justice Evans for his guidance, for his leadership, for the hard work he displayed every moment of every day, pushing us along. I'd also like to thank my colleagues on the committee, Eldon Bennett and Rick Weiler, as I said earlier, two very learned members of the legal profession who made this experience, along with Justice Evans and Lynn Harris, an enjoyable, stimulating and, for me, a very productive time in my life. At least when I leave this place, whenever that may be, I can say that—

Mr Gregory S. Sorbara (York Centre): No, leave this speech.

Mr Harnick: My friend from York Centre is asking me to leave this speech, and I'm going to do that very shortly. But when I do leave this place, under whatever circumstances I leave it, at least I can say to my children and maybe my grandchildren someday that I had a small part in drafting what I think is a very important bill for members of the Ontario Legislature today and in the future.

The Acting Speaker: I thank the member for Willowdale for his remarks. Questions or comments to the member?

Mr Robert V. Callahan (Brampton South): My good friend, who is a lawyer—in our profession—

Hon Stephen Owens (Minister without Portfolio in Education and Training): I think that's guilt by association, Charlie.

Mr Callahan: Well, I think the highest aim of the legal profession is to have people who are of significant honesty. We attempt to do that.

In a perfect world, the member would know, having commented on it, we wouldn't require these types of rules, but we don't live in a perfect world yet, and obviously they're very necessary.

I would honestly say this to you: If people in this place considered the election to this office as being a sacred trust—some people will say that's naïve, but many of us, if not all of us, as honourable members actually understand this is a sacred trust—we would in fact deal with the issues and deal with the way we conduct ourselves, privately and publicly, in a way that would avoid the necessity, perhaps, of extreme measures of dealing with conflict.

Unfortunately, I think the other side of the coin is that the public out there is becoming very cynical about politicians. I think it's very important that these very clear guidelines be in place to allow the public to have not just the perception of justice but the actuality. It becomes very difficult for a person in this Legislative Assembly who happens to be a lawyer as well, because—I don't want to say it in a high-sounding fashion—we are committed by our oath of office when we become lawyers to make certain that everything we say, even in politics, is legit.

1820

Mr Sterling: I want to say to Mr Harnick, the member for Willowdale, in congratulating him on his speech, that I hope when he leaves this place it will not be as a result of the conflict commissioner making a ruling under this act which he's had such a big part in drafting. I know that will not happen, because he's so knowledgeable about it.

But I do have a question for him and perhaps a question for the Chairman of Management Board, under whose sponsorship this bill is put forward. It's a section that is already in the Members' Conflict of Interest Act, which we are now living under. That question relates to subsection 34(4). It says, "Despite section 46 of the Legislative Assembly Act, the assembly does not have power to inquire into the contravention, to impose a penalty if the commissioner recommended that none be

imposed, or to impose a penalty other than the one recommended."

I objected to this originally, back when this bill was brought forward by the Liberals, because I had never come across an act which prevented the Legislative Assembly from looking into a matter. I'm intrigued by the section. Number one, I don't know whether we can limit ourselves within a statute to say we can never look at something in the future. It seems to me contradictory, and I'm going to ask my friend from Willowdale to get me an answer for it. I don't expect the answer in his two-minute reply, but I would like to know the answer to that because I know he has the eminent wisdom of Judge Evans to advise him.

The Acting Speaker: Are there any further questions or comments to the remarks from the member for Willowdale? Seeing none, the member for Willowdale has two minutes to reply.

Mr Harnick: I will be very brief. We talked about the section that the member for Carleton has referred to for many hours and over a couple of sessions, and I can't answer that question in two minutes. I've always wanted to say that in this place; I thought you had to be a member of the government to get away with that kind of answer, but that's my response. I keep hearing the Speaker say we don't have to make answers, we just have to make responses, and that's mine. But I will get him the answer.

I'm indebted to members taking part in this debate. I think it's an important debate. I appreciate the very kind words of some of the members who have spoken, and I really do believe this bill will be good for the people of Ontario and for everyone who serves in this Legislature in the future. Those are the remarks I have.

Again, my thanks to Justice Evans and to Lynn Harris and to my colleagues Eldon Bennett and Rick Weiler. I'm indebted to everyone here who's committed to giving this bill speedy passage.

The Acting Speaker: Further debate on Bill 209?

Mr Callahan: It's with great pleasure that I rise on this. I have a very short time to express my concerns. I remember in the old days, when we were in government, several of my colleagues were required to undergo what I could only say was the Star Chamber. I think the commissioner would understand what I'm talking about in terms of Star Chamber, and anybody in the legal profession would as well. It was a situation where you were placed in a position where you really couldn't defend yourself.

In fact, I remember telling former Premier Peterson, that if that was the situation I had to place myself in, "Thank you but no thank you for cabinet."

I felt that was a very unfair situation for people whom I respect. I'm an oddball. I like everybody in the House despite the fact we may be of different political persuasions. I don't believe any human being who presents himself for public life should have to experience what went on in this Legislature or in committees prior to any type of conflict legislation. Well, I suppose we had some conflict legislation, but it was not the type that would

allow someone to really defend themselves.

I said before in my comments to the member for Willowdale, and I don't say this in any highfalutin way, that elected members who are members of the bar I think really can't just park their oath at the door and get involved in politics on the same floor as everyone else can. I found that very difficult in committees. I found it very difficult in various involvements in this House, because in our profession, as I'm sure in many professions, when you say something in the House, it has to be legit and totally honest.

I'm not suggesting for one minute that other honourable members do not do that, but I feel we can't even play the cut and thrust of politics without looking at that commitment we make and honouring it. Sometimes it's been very difficult, because there are times when you would like to be political to the extent that perhaps you'll deny in a committee or in the House that something happened for political purposes. I don't believe, as a lawyer, that any member of this Legislature who has been called to the bar has a right to do that, and that becomes a real difficulty.

I suppose the one admonition my wife gave me almost 10 years ago, or coming up to 10 years, was, "Bob, you can do anything you want, but don't find yourself on the front page of the *Globe and Mail*, the *Star* or the *Sun*." She never expected me to be on the front page of the *Sun*, nor on the second page of the *Sun* for that matter, but I think that's good advice.

I think it's a privilege to serve in this place. It's a privilege to have the trust of the people who have elected you to perform a duty on their behalf since they can't be here. I suppose in a perfect world, if the members of the Legislature were in that position, or members elected to whatever body, municipally, if every board and commission acted that way, we wouldn't need the commissioner, nor would we require conflict-of-interest legislation.

Unfortunately, it's not a perfect world and there are times when the obligations we swear to will be offended against. I would hope in the main, and I suspect in the main, they are obligations that are offended against innocently, without any, "malversation" I think is the word they use in the swearing in of municipal councillors.

I think it's important that the public have the ability to be able to look at their legislators and the people they've given their trust to, the same as in the judicial system. I think the actuality is not as important as the perception. If the perception is in some degree tarnished by someone doing something silly or doing something in a malevolent fashion, then our entire system, parliamentary and justice, suffers.

I think this is an important move. I must say that Rick Weiler, whom I know very well, is a very bright lawyer, a very caring lawyer. Certainly I commend him for the involvement in this. I know what he has done will be something that will prove to be very purposeful, not just for the members of this Legislature but for the citizens at large.

1830

The Acting Speaker (Mr Noble Villeneuve): Ques-

tions or comments? Further debate. The honourable member for York Centre. Sorry, the honourable member for Carleton.

Mr Sterling: Sometimes it's hard to see me standing.

Mr Sorbara: Well, stand up now.

Mr Sterling: I want to talk a little bit about this bill because I've had, I'm not going to say experience with it; I'm going to say I've had some experience with the legislation.

I was on the committee that dealt with the first passage of our first act, the Members' Conflict of Interest Act, I believe it was in 1988, brought forward by the last Liberal government, and I also was a member of the then procedural affairs committee of this assembly when the Solicitor General, George Kerr, who was mentioned by the member for Renfrew North, resigned as a matter of principle over a call to an assistant crown attorney. I was involved with the René Fontaine inquiry before a standing committee of this Legislature as well. In the context of the some 17 years which I have spent in this Legislature, I've had two approaches to this.

When I first came here, we were controlled by an old act called the Legislative Assembly Act, and one of the good parts of this integrity act, which was not included in the former act, was the repealing of sections 10 and 11 of the Legislative Assembly Act. I was concerned back in 1988 that we were creating a new law but we weren't doing away with the old law and there could be some conflict between the two.

I'm of two minds on whether we should have legislation on conflict of interest or we should have the public make the decision as to whether or not we have acted in a proper fashion. I guess I would support some disclosure sections, but when you start limiting the activities of members and their close family members, and the disclosure of close family members' assets, you start to restrict the number of people who would come to this Legislature.

I want to point out to members of this Legislature who have not had an opportunity to read this bill, because we are agreeing to have first, second and third reading all in one day—the bill has not been widely spread among members in this Legislature, so many of the members who will be voting on this bill today will not in fact have read it—that under section 7, MPPs for the first time are restricted in what they can and cannot do.

In the former conflict-of-interest act, members of the executive council or members of cabinet were restricted in what they could or could not do. Under the Legislative Assembly Act, which is also in place, in sections 10 and 11, which I mentioned before, there is an attempt to restrict members of the Legislative Assembly, but it really is puffery and it's very easy to avoid in terms of the sections as written some long time ago. I don't know when the Legislative Assembly Act originated, but it probably goes back into the 1950s.

For the very first time, I think members should understand—and I'm not only talking about members of the governing party; I'm talking about members of the opposition party—who are in some ways deemed to have

an influence on government policy or that they can have some kind of influence on what happens with regard to the government. That's a little contrary to the way many members view themselves in opposition because they don't picture themselves in any way, shape or form being part of the government. However, I think that anybody who has sat in this place for a period of time realizes that there is a perception by the public that even though Norm Sterling sits in opposition, somehow he could have some influence with regard to what the government did or did not do.

But for the first time I think it's worthwhile to note that members now cannot contract with the government to provide services. If I owned a construction company or I was part-owner or a minor part-owner, which I am not, but if my family owned a construction company and it was tendering on public projects, for instance, if I was a member of a paving company or my family company was involved in a paving company, I would, according to this legislation, be restricted.

I can go to the commissioner, Mr Evans, and say, "Mr Evans, can the company in which I am part-owner bid on this government contract?" He has the authority to okay that if it's unlikely to affect my performance or my duties in the Legislature. But I think it's important for us all to understand that there are further restrictions on MPPs, and as we further restrict MPPs who sit in this Legislature, we start to take away from them any alternative sources of income.

I don't have any alternative sources of income at this time, but I do know that there are other members of this Legislature who do have alternative sources of income. What we're saying here is that we're excluding some members who might have an alternative source of income which has, on the periphery, some contact with the government from further benefiting from that source of income, whereas other members of the Legislature who for instance are carrying on a law practice and are dealing with the public in general are quite able to carry on that law practice and earn that extra income. So there are some prejudicial sections in here as to what might affect one member vis-à-vis another member.

Having gone through the process prior to 1988 when there were only sections 10 and 11 of the Legislative Assembly Act which really restricted the activities of anybody in this place, along with what they used to call the Premier's guidelines, and I think there still are Premier's guidelines but they've sort of fallen by the wayside now, David Peterson, the Liberal Premier, came out with a new set of guidelines, sort of rejecting what Bill Davis, the former, Conservative Premier had, and there were a whole bunch of problems with those guidelines. We went through five or six ministers who either contravened them or appeared to contravene them. I think that some of the contraventions, in retrospect, were pretty minor when one looks at it.

In 1988, we tried to write a law to deal with what we do as members and how we deal with our private life along with our duties as MPPs. It was a first attempt, but there were many holes in this first attempt. I think that, quite frankly, some of them have been closed by this new

act. Under the old act, a cabinet minister could appoint a trustee or could put all his business assets in a trust, and there was no restriction on who the trustee might be. The trustee could be the husband or the brother or a nephew or a close relative or a close friend. Of course, the whole object of a trust is to have the person who is the member of cabinet put those assets in a trust and give them to somebody else who's not going to be influenced by the cabinet minister while he has those powers as the minister. Mr Evans and his committee have addressed that problem.

One of the problems which he has not addressed, as I read the bill—and it's too bad that we didn't have more time to perhaps go out to committee in order to deal with that, but hopefully I'll have an opportunity to talk to Judge Evans about it because, as I say, this is the first time I've actually seen the legislation—is that under this legislation, if I own a commercial piece of real estate, I have to tell the commissioner where that piece of real estate is or what it is and identify that asset.

However, as I read this legislation, if I have a corporation which owns 1,000 pieces of commercial real estate, all I have to tell him is that I am a director and a shareholder in that corporation. I do not have to tell him or anybody else that there are 1,000 pieces of commercial real estate or whatever owned by that corporation. I think there's a failure in the disclosure sections with regard to that particular section, and I'd like to be corrected if that's not the case.

1840

One of the good parts of having a well-defined act, as this is—and as I said, I wasn't sure whether we would be better off having a very generic act and just stating an intention, for instance, that members should not allow their private business to conflict with their duties as MPPs, and that would be the end of the act and you could be dismissed from this Legislature if you contravened that act in the eyes of the commissioner or in the eyes of the committee or whatever you wanted to do in terms of judgement of that part of it.

But we've gone past that. The 1988 act started to define the different things that we had to do. We have to disclose our assets, and over the past seven or eight years we've got a form from the commissioner and we have to list our real estate and our mortgages and our debts and our bank accounts and whatever else we might or might not have. As I mentioned before, there were many deficiencies in that first act. This tightens it down and doesn't leave many questions unanswered as to what I must or must not do as a member. Therefore, in some ways it provides a protection for me as well.

I can't help but reflect back to the time we were talking in 1978 when Mr Kerr was Solicitor General. What happens in this place when a cabinet minister makes a mistake or what is perceived to be a mistake, a contravention of the trust that he has as a cabinet minister, is that immediately the opposition, regardless of which parties sit on the opposition side of the House, jump. They jump and they grab and the contest seems to be whether they can make that particular minister resign.

Over the past number of years, perhaps with the

exception of one or two, I have felt that in most cases ministers should not have resigned over what I would call fairly menial contraventions, and I want to say that it appears so different to you when you're on the government side than when you come over to the opposition side.

I know George Kerr, who was one of my team, one of the Conservatives, one morning phoned the Milton courthouse and he said, "I'd like to speak to the assistant crown attorney about XYZ," a person. What happened was that they couldn't find the attorney and it went out over the PA system. It said, "Mr Crown Attorney, George Kerr calling." Of course, someone picked it up in the courthouse and then it got transferred into the public and the public found out about it and George Kerr was into the fire.

The unfortunate part was that the person for whom George Kerr was phoning was a member of a visible minority group who had had psychiatric treatment and George was concerned with the physical safety of this individual. For expressing that concern and phoning—not phoning a judge, and many people mistook the incident for him phoning a judge, which is in my view very different from phoning for a crown attorney.

There's nothing really to prevent me as a person from going and being a character witness for an accused. There was, I guess, some impropriety because he was Solicitor General, in charge of the police, and it could have been viewed as intimidating this particular crown attorney, but the individual he was going to bat for was really having trouble coping.

I can't forget the procedural affairs committee, when I sat on that committee, and how the knives came out for George when they were dealing with that. It was something that I always remembered as we went through the hearings when I was sitting on the side where people were taking out the knives; I always remembered back when I was sitting on the side where we were trying to protect somebody who was being attacked with the knives.

The problem seems to have become more prevalent as time went on. During the time in my memory, in terms of the William Davis government, there was the McKeough incident as well as George Kerr, I believe, in the five years. That was a span of about 15 years. During the Liberal reign I think there were about seven or eight, and in the early part of this government there were about seven or eight as well.

I think, as we have tried to become more pure and with very ill-defined guidelines, we've left ourselves susceptible to, number one, not knowing what the rules are, where the lines are to be drawn, and number two, giving the press and the opposition the opportunity to attack in a merciless fashion from time to time. Unfortunately, that's part of the game. That's why I think, in terms of bringing forward this act and passing it, it is a step forward and the fact is that we can look forward to fewer incidents as a result of this act.

I want to say to Judge Evans that I hope that as he goes through this act in practice, he will continue to learn. One of the great parts of Judge Evans's experience

has been living with an inadequate piece of legislation and experiencing it on a day-to-day basis over the past seven or eight years and being able to draw on that experience and put it together. I know Judge Evans is not planning to retire and I wish him many, many more years as a commissioner, but I am really happy to take advantage of his experience at this time in terms of using that experience and putting it down on paper and amending as many of the problems as he has seen with the guidelines as we go.

The only other thing I would say is that, as many of us from this Legislature reside close to this legislative building and many of us actually reside in the same large apartment complex as Judge Evans does, I know that on the passage of this act, each one of us, as we ride down the elevators and ride up the elevators, will have a much more pleasant Christmas spirit when we share that elevator with the eminent judge who has been asking us from time to time in a most gracious manner to help him along in the passage of this act.

The Acting Speaker: Questions or comments?

Mr Allan K. McLean (Simcoe East): I'm pleased to be here this evening and to have two minutes to compliment—it won't take that long—my colleague Norm Sterling with regard to the act that he's talking about, the integrity act.

I know there's been a lot of discussion that has gone on with regard to this act and I know that Chief Justice Evans has been very adamant about having this act passed to make his job that much easier. I've talked to Justice Evans on this act some mornings when we had coffee at Connor Tire, that great little familiar place. Bob Nixon used to call it Earl's Shell, but we in Orillia have Connor Tire that we meet at, and the chief justice will drop in there for a coffee the odd time. He thought it would be great if we could pass this act. So I compliment the government for bringing this act forward to make life a little easier for Mr Evans.

I know the title was intended to make sure the commissioner—and the integrity commissioner means a person appointed as integrity commissioner, and it goes on and on and on with the reference. It means his or her spouse and minor children. I know that when we dealt with Bill 163 and we were dealing with the conflict part of that bill, when I look at the sample copy we got, it didn't seem to be nearly as complicated as the ones we fill out. I'm sure that this will not be either.

The House Leader has seen fit to bring this forward, and I think it's appropriate at this time. I'm sure that all members of this House will have it passed without very much further debate.

1850

Mr David Turnbull (York Mills): In the four and a half years that I've been elected and my experience with Judge Evans, I've always found that he was an extremely capable and sage adviser on the various questions that come up with respect to the bill which is in place. I know his ambition has been to have a good piece of legislation in place which would be more appropriate to the times that we're in and he has laboured very hard, along with

my colleague Charles Harnick, the member for Willowdale, and indeed the representatives of the two other parties.

It's good to have Judge Evans in the House here to see this bill progressing tonight. I trust it will be passed and it will indeed be a lasting monument to Judge Evans, what he has wrought with this bill. I'm pleased to be supporting this.

The Acting Speaker: Further questions or comments? Seeing none, the honourable member for Carleton has two minutes in response. No response. Further debate?

Mr Sorbara: I am not going to take too long, nor do I intend to delay the passage of this bill at all. All of us are intimately familiar with its contents because it regulates, to a very large extent, our conduct here as legislators and the way we conduct ourselves as individual citizens charged with the public trust of representing constituencies and dealing with public administration and making laws and making regulations and all that stuff.

There has been great tribute paid to Judge Evans and the input that he has given to the next stage of the regulation of conflict of interest. I certainly want to add my own compliments to the commissioner, who has put up with all of us and listened to all our concerns about the way in which this bill should be structured.

This bill has a history, and my colleague the member for Renfrew North has gone through some of that history. I guess it was the Liberal government of David Peterson that introduced the first legislated legal standards for the regulation of conflict of interest. This bill represents the next generation of that bill and I think is a significant improvement on the bill that was first passed back in 1986, I think it was.

But I think, as in all things, there is a downside to this legislation. There are some things that should be noted that aren't so good about this bill that we're passing. Let me put that in context. I think it's a good bill and I think we should pass it. I think future members of this Legislature need to know the standards that they must live by if they are so fortunate as to be elected to represent constituents in one riding or another in Ontario.

But in the nine and a half years I have been here, having known probably about 200 fellow legislators through three parliaments, I don't think I have found one member whose integrity I could really question. That is to say that virtually every member of this Legislature that I've known has been a person who is of very high standard who would never knowingly prefer his private interest to his or her public trust and public responsibility.

If anything has disappointed me in the time that I've sat here, it is not that members of any political party have abused their public trust or public responsibility—not at all. What has disappointed me is that it has become so easy now, in our parliaments, whether here or in Ottawa or elsewhere in Canada or perhaps any Parliament in the western world, to accuse another member of being a person of no integrity, of making accusations about the integrity of another member, of suggesting that another member is contemptuous or has violated the rules.

I remember back in 1985, when I was first elected—I

think it really started in 1986—the kind of accusations that used to come across from these opposition members to some of our members, some more prominent than others. I remember being the brunt of some of those accusations and being appalled at what I was being accused of. That carried through the full life of the Peterson era, and then coming into opposition, the facility with which we launched accusations about members of the government. Sometimes we brought ministers down and did it proudly. I just don't think that is a proud part of the history of this Parliament or the last Parliament or frankly of any Parliament.

There need to be standards. There has always been a standard for this Parliament. Years and years ago, it was the ad hoc standard of a Premier. As parliaments became more sophisticated, they became ad hoc guidelines of a Premier, and then guidelines of the Ministry of the Attorney General, and then, as I said, in 1986 a set of legal parameters to guide the conduct, and now a better bill which will better regulate and better set out the standard which all members must adhere to.

But, I ask, as we pass this bill and celebrate this bill, what about the other standard of honouring the integrity of members? I don't think we've done such a good job, and I confess that I have played a significant role in that when it was politically opportune to attack another member and when it was politically advantageous to suggest that a guideline or a conflict-of-interest guideline had been breached.

That, in my view, is the real crisis of the Parliament, because as we, with great facility, attack each other's integrity, the public at large watching the debate loses confidence and questions the integrity, not of the individual being attacked but of all of us who sit in this House or stand for office or sit in a local council or in any way try to discharge the responsibility of governance and public administration.

I don't have any solution for that. Certainly yet another bill will not help. An improvement in this bill won't make a difference, because those are standards of person-ality and those are standards of respect and those are standards of honesty that we need to somehow reincorporate into the way in which we do the public's business.

I just hope as I leave this Legislature—and I should tell you, sir, that I personally believe that this is the last day this Parliament will sit and that we will have a campaign probably culminating in an election on April 27, but I might be wrong—I hope for the next Parliament that they will realize the tremendous sacrifice involved in serving in this Parliament, that sacrifice made even greater as a result of the bill we are now passing, because one has to cut off so completely one's ability to deal with one's other interests.

That is a great sacrifice, and I hope that individuals from all across Ontario will understand those standards and yet be willing to serve, stand for election, be elected and serve in this Parliament. But, secondly, I hope that the next Parliament sees a resurgence in the respect for the real integrity that I believe we all possess and that ought to be respected in our day-to-day proceedings here.

I end by once again congratulating the commissioner, who regrettably had to spend so much time with my own disclosure statement because sometimes it was more extensive than he would have hoped, but he did an admirable job in guiding me and all the members of this House in the tricky world of politics, public trust and private interest. I congratulate him and I think that we are doing a good thing in passing this act for future members, for this commissioner and future commissioners as well.

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The Acting Speaker: Questions or comments?

Hon Bob Huget (Minister without Portfolio in Economic Development and Trade): Just very briefly, I appreciate the comments from the member for York Centre, very interesting comments and I think very heartfelt comments as well. I will say from the beginning that my disclosure statement is a lot briefer than the member for York Centre's. That's to his credit, nothing I'm critical of.

I, newly elected to this place in 1990, was affected and impacted by the divesting provisions of the previous act. I know what a problem that can be and what a problem it continues to be for members like myself, who, after being elected, did their utmost to operate their personal matters in an arm's-length relationship and were very vulnerable to the fact that they were not able to manage their own affairs, and their families may not have been either. In my case, that was the case. I was an absentee, arm's-length operator of a small business that, due to my absence, lost money hand over fist. You couldn't watch it leave fast enough.

Mr Bradley: Sounds like the government.

Hon Mr Huget: Some would say we're still in that business, but my own personal circumstances would really point out clearly to me an aspect of something, and I don't know if it's been touched on enough this evening, and that is education, education to people who are considering accepting or running for elected office. We need to know what's expected of us going in before we make that decision to be candidates for this Legislature. I think there's a huge job to do to educate potential candidates and people out there who would want to serve the public in this House or any other elected office.

I also think the public really needs to understand, and I agree with the member for York Centre, the degree of sacrifice that people, from all parties, make to serve in this place. It is a tremendous sacrifice and one that I think the public needs to be educated about, that there are standards for us.

We try to live up to the highest standards and avoid situations where indeed there is personal gain attached to this office. I have not met a member in this place who didn't share that view. So I look forward to this legislation being passed and, more importantly, I look forward to a solid public education effort.

Mr Sterling: I just wanted to compliment the member for York Centre, who has been here I guess since 1985. I want to thank him for his contribution to the Legislature during that period of time if this is in fact the last time

we'll have an opportunity to sit here, and some speculate that this is the case.

I think it was in 1989, after four years of badgering, that the then Liberal Labour minister, Greg Sorbara, brought forward a bill in this House dealing with controlling smoking in the workplace and smoking in public places. At that time, Mr Sorbara—I don't know if he still is addicted to that habit or not; that is, the nicotine habit—did bring that bill forward. I think that when he looks back, at least I believe, that act did a great deal in changing the social conscience of people who work together in this province. I criticized him very much at the time for the fact that the bill wasn't strong enough.

Notwithstanding the strength or the weakness of the bill, the fact of the matter is that it was a piece of legislation which for the first time in North America was brought forward by either a state or a provincial jurisdiction to deal with that matter. I think if he looks back in time he will think of that as probably one of his greatest accomplishments.

I want to congratulate him and thank him for bringing that forward at that time, because it was an issue of great importance to me. I'm really happy that as a result of what he did, there are many, many young people in this province who have not taken up the habit, and I wish him well in the future.

The Acting Speaker: Further questions or comments? The honourable member for York Centre has two minutes in response.

Mr Sorbara: My friend from Carleton is very kind in his comments. I should tell him it was difficult, not to say in the view of some hypocritical, to bring forth that bill. What I can tell him is, were I today responsible for bringing in its successor, the hypocrisy would be even greater given my predilection for tobacco.

In my response, I want to respond to my friend from Sarnia who referred to the responsibility he had when he was elected to separate himself from his interest, his small business in Sarnia.

The real debate in this integrity act or conflict-of-interest act, one of the real focus points of debate, was whether or not elected members who are called upon to serve in cabinet should have to sell what they have in order to serve. We call it divestiture but it's really simply having to sell what you own in order to take up a position in cabinet. It was a proposal brought forward I think rather naively by the Premier in his first few weeks in office.

The good news is that that has not been incorporated into the legislation. In fact, we have designed a piece of legislation in which those who serve in the executive council, in cabinet, can separate themselves from their interest, place it in a trust and be confident that that trust will be managed by others while that individual sits and does the public's business and carries on the responsibility of governing in the cabinet.

Had those early views of the Premier prevailed and we had a divestment provision, it would have been very serious and very wrong. I'm glad that we've reached a consensus that we have a way to manage our interests so

that they are set aside, and when we leave this place, because politics should always be temporary, we can take up what we left.

The Acting Speaker: Further debate. Does the government House leader have some wrapup?

Hon Mr Charlton: Just very briefly. I'd like again to say thank you to Judge Evans and to all of the members who spoke here this evening for their support of this legislation. We should just get on with it.

The Acting Speaker: Mr Charlton has moved second reading of Bill 209, the Members' Integrity Act. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

Mr Charlton moved third reading of the following bill:

Bill 209, An Act to revise the Members' Conflict of Interest Act and to make related amendments to the Legislative Assembly Act / Projet de loi 209, Loi révisant la Loi sur les conflits d'intérêts des membres de l'Assemblée et apportant des modifications connexes à la Loi sur l'Assemblée législative.

The Acting Speaker: Government House leader?

Hon Mr Charlton: No comments.

The Acting Speaker: Further debate?

Mr David Tilson (Dufferin-Peel): I'd like to say a few words with respect to this particular supply bill.

Hon Mr Charlton: This isn't the supply bill.

Mr Tilson: This isn't the supply bill, Bill 204?

The Acting Speaker: We are on third reading of Bill 209.

Mr Tilson: I apologize.

The Acting Speaker: Further debate, third reading of Bill 209. Government House leader?

Hon Mr Charlton: No comments.

The Acting Speaker: Mr Charlton has moved third reading of Bill 209, the Members' Integrity Act. Is it the pleasure of the House that the motion carry? Carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

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SUPPLY ACT, 1994

LOI DE CRÉDITS DE 1994

Mr Sutherland, on behalf of Mr Laughren, moved third reading of the following bill:

Bill 204, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 1995 / Projet de loi 204, Loi autorisant le paiement de certaines sommes destinées à la fonction publique pour l'exercice se terminant le 31 mars 1995.

Mr Kimble Sutherland (Oxford): I have a couple of comments. One, to accommodate the request of the member for Sudbury who wanted it noted on the record that Judge Evans is from the north, specifically from Timmins. So we'll have that on the record. We all know our northern members are very proud of anyone who comes out of there.

Interjection.

Mr Sutherland: County of Cochrane, okay.

I think we had extensive debate last night on the Supply Act, so I don't intend to take too much time. I just want to point out again the basic things: that I believe job creation is going well, that we are doing an effective job of maintaining services and that we are attempting to live within our means and reduce the deficit.

I would suggest that if anyone wants a more detailed account of those accomplishments of the government related to this that they review the Hansard from last night with the member for Port Arthur, who I think did a very effective job of outlining some of the many successful accomplishments of the government, how it has dealt with the very difficult challenges we've had to face in terms of declining revenues for three years in a row and a very difficult recession since the 1930s, and what we've been able to do in dealing with those issues of job creation, maintaining services, expanding services, particularly the expansion of services and job creation in the riding of Port Arthur and in other places. So I would ask people to review that Hansard to get some more details.

The Acting Speaker (Mr Noble Villeneuve): Questions or comments? Further debate.

Interjection.

Mr Alvin Curling (Scarborough North): Here I am to speak on Bill 204 on supply. It comes at a rather interesting time. It comes on the last day of the sitting of this House. I understand that we are proroguing, the House will prorogue, and I presume that the next time we sit, if we should sit, the government will then present a budget before the House, a throne speech and the works that tell us what direction it is going. But today, in speaking on supply, the government is now saying, "We need all this money to do all of our programs, to pay our staff," and to do the things that they should do right.

Of course, we have seen four and a half years of some very interesting times economically. We have seen that the economy has taken a downward dive in the sense that the people of Ontario have had to tighten their belts, and sometimes, of course, the government itself has tightened it for them and maybe made it worse for them to exist.

But I'd like to just focus a bit on some of the things that happened over the time, like Jobs Ontario, programs that were put in place that this government has touted so well, that this Jobs Ontario will really bring about a resurgence of energy and a resurgence of putting people back to work, bringing confidence into the system.

Each day, as the minister stands in here and says how well it's working, I'm hearing differently outside. I'm hearing that the government is throwing money at something that has not been effective. I'm hearing employers who are taking the opportunity of Jobs Ontario saying it's not working. I'm hearing employers who are stating that they have made commitments to Jobs Ontario, that they have now looked around and the government has said to them it will not fund them because the paperwork was not completed properly, even though they had commitments by this government.

In other words, they are saying Jobs Ontario, in theory,

looks good; in practical form it's not working and has frustrated business people outside.

I've heard an extreme comment, that Jobs Ontario has now become Jokes Ontario, that they have been out of funds because they made a commitment to take on this government program that it put forward and it's just not working. So some of the programs that this government is throwing money at have not really in any sense brought about any confidence in the people to say that it's working.

The beautiful thing about democracy, or this process of parliamentary democracy, is that it does allow for four to five years and that the people again will look at the record of any government and decide whether or not they would like to give them another mandate to continue the things that they are doing. If the performance of Jobs Ontario isn't reached which they will judge this government by, I would say that the people are telling me they will not return a government which will continue programs like Jobs Ontario.

I've also heard from many people within the public sector, and let me start in the public sector in a sense that when I heard the minister this morning speaking on Human Rights Day, talking about the proud performance of the employment equity legislation they brought in—it's not working. It is not working in the public sector, for instance.

There are ministries—and I will name a ministry: for instance, the Ministry of Transportation. The morale in that ministry is so poor that there are concerns whether or not employment equity has brought about confusion and frustration within that ministry, because the process that's been put in place is just not working. Individuals are promoted with competence that they feel is questionable. Those who should be given the jobs are seeing that favouritism is used in transferring one bureaucrat over to another place in order to bump the others from getting a job. People are paid off in early retirement.

These are the kinds of things I am hearing, that the program of employment equity within the public service is not working. It's unfortunate that—

Ms Sharon Murdock (Sudbury): Is that the reason you didn't vote for it.

Mr Curling: The member on the government side stated that's the reason I did not vote for it. So right, she is. I have seen this was coming, that the way in which it would be implemented would not be a program that would work efficiently. I have seen that when they started negotiating the deal—you can't negotiate this kind of deal—with the unions about seniority rights, that it would not work. As a matter of fact, fairness itself in that system must be based first, of course, in removing the barriers and making sure that people can perform properly.

But this is not happening at all and it has retarded the progress of what equity is all about. So that's another example of a program that is not working in this government. You know, it is not working, Mr Speaker.

The fact is that in many of the debates that have happened in this House or in committees, we have tried to convince the members of the government about what

we're hearing outside in the constituencies. They are not listening. People who come before committees are sometimes cut short for presentation and, in the limited time in which they want to present their cases, are not being heard.

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Therefore, it's nice to throw money out at programs and feel that we are solving the problem. It's nice to give authority to pay for all these programs, but it's not working. We, as parliamentarians, must assess these programs, must say to ourselves, "Should one continue just saying yes to this government because they just need to spend the money, to give these interest groups a way to maybe demonstrate in a manner that will say we are addressing the problem, and we are not at all addressing that problem?"

I am saddened by the fact that a bold attempt by this government—I give it the credit of bringing forward legislation of employment equity, but I don't give it the accolades of doing it in a very effective manner. The employment equity program has failed miserably. We have even seen the same government here which has had a program, the same employment equity program, advertising that white males may not apply for jobs.

What this has done to the program itself is that it made a joke of all of this. The fact is that employment equity, and I emphasize again, has nothing to do with the fact of whether one is white, black, woman or so; it is to identify those systemic barriers that are in the way of these designated groups, removing those barriers and letting everyone—white male, black, woman, disabled—perform. Then what we'll have is an equitable system for people to perform within.

The fact is, no matter how you say to this government, "You're going the wrong way, you're causing confusion within the people, you're pitting one against the other," oh, no, they feel they're doing such a great job of bringing equity into the system.

Ms Murdock: We are.

Mr Curling: You are not. None of these groups ask to be patronized. What these groups are asking for is to remove those barriers, because the women feel that they are quite capable of doing the jobs if you remove those barriers.

Hon Stephen Owens (Minister without Portfolio in Education and Training): What did you do about it?

Hon Ed Philip (Minister of Municipal Affairs): They're all saying you failed in your party. You failed, Alvin.

The Acting Speaker: Order, please. The member for Scarborough North has the floor.

Mr Curling: I know how difficult it is for them to listen to reason and the truth. It's very difficult, when it faces them right along that it will not work in that kind of atmosphere. It will not work, because, again, let me make the point, while the Minister of Municipal Affairs continues to interrupt, that those designated groups have the ability to perform the job. What they don't have is the ability to remove those barriers. They ask for legislation and they ask government to do that and, having

removed those barriers, they can perform, not then to say to the others about a level playing field, "Let's get women in, let's get the disabled in," and then tell the others to stay back. They say, "Remove those barriers and we can perform." On the basis of merit they shall be appointed and elected to the job. They want no patronization.

I could spend days talking about all the programs and money that this government has thrown around to interest groups, \$100,000 here—they talk about cheques. They openly say, "We walk around with cheques in the community," people's own money, taxpayers' money, handing it out and saying, "Here is \$100,000, here is \$200,000. Here is another \$200,000," and really believe that we are bringing about change and participation.

Hon Mr Philip: That's better than the itty-bitty sandwiches you gave them.

The Acting Speaker: Order, please.

Mr Curling: Let me tell the Minister of Municipal Affairs, it will not get you any votes.

Hon Mr Philip: Just wait and see.

The Acting Speaker: Order.

Mr Curling: It will not change the landscape of the things that are happening right now.

Hon Mr Philip: Give us one grant that you disapprove of.

The Acting Speaker: Order. The Minister of Municipal Affairs, please, will have the opportunity later.

Mr Curling: I know it's so painful for the Minister of Municipal Affairs to hear the truth itself.

Hon Mr Philip: It's not painful, it's for you selling out.

Mr Curling: You see, it is painful.

Hon Mr Philip: You sold out your own community.

Mr Curling: My community is Ontario. Your community is those interest groups you are buying in order to get votes. It will not happen, because the fact is, it will not change the landscape of how things are done. People want to be part of the mainstream—

Hon Mr Owens: What's your contribution—

Mr Curling: Not at all. Not at all to be getting \$200,000 to do little side jobs here and creating more or less confusion in the system.

There are none so blind as those who refuse to see. It is happening in front of them all day.

Mr Ron Hansen (Lincoln): Who received the cheques? Give us the name.

Hon Mr Owens: Name names, Alvin.

The Acting Speaker: Please. The member for Scarborough North has the floor and interjections are out of order. Members know that.

Mr Curling: I know how painful it is. I understand that. I was a minister once when criticism was coming my way, but what I have done is listened. I know it's hard for you to face the truth of what's happening out there. It's very, very difficult.

All these programs that are put in place, that you want

money to continue to fund, will not in themselves change things the way you're doing them.

The community is coming to us and saying, "Do you think we'll continue to be funded in the same way?" I'm telling them no, it will not be funded again. I'll go even further than that. I will say the same kind of people you're funding along the way with these programs, even if you should return—my golly, I hope the people have seen the light and will not return this kind of government—you would not continue to fund those groups in the same way. It cannot be done.

Mr Hansen: What groups?

Mr Curling: Many, many of those groups out there that are getting this kind of money.

We're looking at funds to pay for all of these programs, and I am saying to the government, look at it seriously. Look at what changes you're bringing about with this kind of funding. It's not going to work. Walking around with cheques in your pocket, dropping them off to interest groups, does not change things very much. You have to have some sort of vision of where it's going to change, how you bring people within the mainstream, and not in itself feeling that \$200,000 is about bringing them into the mainstream.

Our judicial system is one that denies many people or delays justice for many people. We must fix that kind of system and tell people they do have access to it, to eliminate those barriers. Those are the kinds of changes people want. We are legislators who make laws so that people can have access to those programs and not have most of these programs being funded on the side or creating new bureaucracy.

If you want me to name some of those, as you said, I want you to take a look at the Advocacy Act. Some very important changes came about and I think they will be very helpful, but the way we're staffing with those individuals, watch it. They are quite political appointments coming about. Anywhere they can find New Democrats who are not working, what they will do is they'll slide them into positions in order to get jobs. Do you know what that breeds, speaking from a non-partisan point of view?

When the next government comes in, if it should not be this group, an exercise will start to replace all those political appointments.

In the standing committee on government agencies—I know at times, Mr Speaker, you sit there—we go through the exercise of people coming before us to serve. Some wonderful, intelligent, competent people have come before us and will serve on some of those boards and agencies. Others don't have a clue of what they've come to serve, what the job descriptions are all about. It pains us to know that the opposition parties sit there and have to go through this exercise of interviews when they have already been approved by the cabinet.

It's not an interviewing process to say, "We reject this individual because this one will not make a proper contribution to this board or agency," no matter what we do. Up to now, for the four years that this process has been in place, not one has been turned down. Not one

person who came before the government agencies committee has been turned down. Is that a coincidence, or is that efficiency on the part of government itself?

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We start seeing people who are coming in on government agencies that don't have a clue about what they're serving, and we have to start to take a serious look. This is the same government that talks about political appointments, that speaks in terms that we have to clean up the place to make sure the competent people, not from a partisan point of view, are being appointed. When I look around at all the members—some of the members, quite competent people who were in this House—all have been appointed as head of some commissions of some boards or so, yet this is the party that stated, "If we should ever get in, we will never follow that trend."

That has been followed. That has been followed and, as a matter of fact, in the worst light that I've ever seen. I don't have any great experience in politics, just 10 years, but I've seen enough to say that nothing in itself ever convinced me that this is a competent government that should be spending the taxpayers' money in the way it is being done.

It hurts. It hurts deep and in a frustrating way, because the fact is that people who come to my constituency office are asking us, "Could you make a difference by telling this government that this way they're going is wrong?" We come here, we try to speak and we are shut down by closures and we are shut down by all kinds of strategies to limit our performance as a Legislature, the same democratic government that needs a lot of money to spend on a lot of programs that I feel are going nowhere.

We're looking forward to another five years, and I know I said when I started my speech that we may not be here the next time as this Parliament, but maybe a new set of bodies, of people, are coming here to legislate. Should the Premier himself find it within himself to call the election by May or June or so, what we will see is that the people will respond in the manner in which I'm confident will make a selection of sending people to the Legislature who can conduct their affairs in a manner so that they can be satisfied and feel they are competent. I don't feel this government was competent, but I don't want to be too negative, because within that cabinet over there, there are competent people, people who have tried their best.

Mr James J. Bradley (St Catharines): Name names.

Mr Curling: I can name names, as my colleague has stated. I think that the Minister of Finance has tried his best in which to do a competent job. He tried. I wouldn't give him an A, neither would I give him a B. If I was marking in my old days as a teacher I would give him a C+ because it's a tough time and he has tried. He has tried very much. But the fact is that there are few, and you can count them on one hand, competent ministers. You may ask me what is a competent minister.

Mr Bradley: What is a competent minister?

Mr Curling: I think a competent minister is one who understands the portfolio in which he or she performs and

understands the people he or she is serving. I find many so unapproachable, because we are all here to serve the people; I find a competent minister is one where I, as an opposition, can walk across the floor and say, "I have a concern in my constituency," and that minister sees beyond partisan politics and sees the issue in which to address that concern. I'm not quite sure there are many over there I'm confident in approaching and feel that I can get that response. That saddens me a lot.

Hon Mr Owens: Are you looking at yourself?

Mr Curling: It saddens me a lot. I see the Attorney General here and she was one whom I approached, not as Attorney General, but I think she was Community and Social Services, and yes, she was receptive. We sat down and we talked about the issue and she was receptive. That's two ministers I would say I can approach. I can't say I can approach many over there.

No, I'm speaking about that the government performance itself has overshadowed even one or two of the good ones over there. But the people must be able to say to themselves: "I have to throw this body out because they have made this province one of the most difficult places to live in." They have made this province a place that they themselves would like to say, "It is a province that I'm proud of." Even the unions, those that are strong supporters of the NDP, found it difficult most of the time to support this government.

They want us to come forward now and support the supply bill and say: "Here you are. Continue to do the programs you are doing." You can even see, Mr Speaker, you and I watched here just a few minutes ago how the Minister of Municipal Affairs had to get up and leave. When you have to face the facts about what's happening out there, it's difficult. I know it's difficult. I've been told many times in my constituency riding that I must be able to do something for the people and how frustrating it is in order to deliver because there is only so much I can do.

Let me talk a little bit about my constituents who are concerned. When the bankruptcy rate and the folding of companies are pretty high, and many of the empty industrial buildings stay there for years, we suffer because of the community not getting the taxes. Where we suffered also was for people who were laid off their jobs because of the tough times. We suffered many times when many of the companies approached the government for support and help and it was slow coming and many uprooted themselves and went to the States or went out of business. So Scarborough suffered tremendously. I see a little turnaround now in the sense. It's not to blame the government in its entirety. Of course, the world economy, especially in North America, had taken quite a beating. We did not escape that. Scarborough got beaten out in that process too. So we suffered.

I noticed yesterday there was a program that the Liberal government of the day announced about the removal of radioactive soil. An initiative like that was very good for the people, because the fact is that they felt that government must have legislation act for them to feel that they can be supported in a manner that, if they have obstacles in the way, a government can help. The Liberal

government of the day had decided to move the people and buy their homes. Yesterday, I noticed they announced that radioactive soil will be removed from McClure Crescent into a temporary site until it can go to Chalk River. It's a very important point. It's an important point because they believe that government can do things if it wants to.

My colleague the member for St Catharines will tell me, "Don't compliment the government too much." But the fact is that I was happy to see that they followed through on what we had begun in moving the radioactive soil. Now that the final stage of it is there, that tells me we should have some more confidence in the representative. Of course, I was quite vigilant in the process to make sure that this happened.

In speaking on this supply bill, it heartens me again to know that at the end of an era, the end of a mandate of this government, the people may feel completely left out and feel cheated in some respect that it has not given the kind of programs and the support that were needed at the time. The programs that were put in place were done sometimes in a partisan way. We have seen social housing and co-op housing run in such an awful way that I will predict in a very short time we will be bailing out many of those co-ops that can't really find the money to pay the mortgages on those co-op homes. The management in many of the co-op homes is questionable.

I would say to this government, or whatever government comes in, that we have to have a serious look at how we do our social housing programs. Maybe we have to, as I said, move to some other strategy than building more social housing and maybe giving funds and support to the individuals who need it to find accommodation, seeing that we have, of course, rent control or rent review.

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In summary, I just want to put on record my feeling about this government and how it funds its programs and how the administration has been run in such a sloppy manner even though, as I said, I could find a couple of ministers who have tried their best.

My last point I want to make is about our policing—our community a safe community. I want to commend the police officers who, with limited resources, have done, I would feel, an excellent job. I want to say to the police officers out there who are saying we need more resources and the government on the other side said we have limited resources; the short staff of police officers, as they have indicated to me, has made their job more difficult. Therefore, I would encourage the government to take a very serious look at how we fund our police forces, how we give them those resources to do the job effectively.

Training is one of the most important parts of policing, to sensitize those police because of the diverse multicultural community which we have and how we respond to the calls and domestic crimes or what have you. Police officers have got to be sensitive in how we treat those communities. Of course, we put them on the bicycle or foot patrol and we feel that will resolve the problem. It will not resolve some of the problems we

have. We need to do much more sensitizing programs for the police officers; in other words, money and resources are needed.

Of course, as soon as we say to spend anything, the government over there would say some days we are saying don't spend and some days we say spend, and that's true. We are saying to you, get the priorities right, redirect the money where it's needed most and where we can have a better impact and get more value for our dollar so that our society can be a better place to live, that is secure and safe.

Mr Speaker, I just want to again thank you for the opportunity to speak and hope that we can see a better government and more sensitive programs in the future.

The Acting Speaker: Questions or comments?

Hon Shirley Coppin (Minister of Labour): I would just like to make a few brief comments, especially when the previous speaker from the opposition was up talking about employment equity, I think one of the most important programs this government has brought forward. I find it very strange that this member, who voted against employment equity, would also stand on the same podium with me at an event and let the crowd know that he supported employment equity. I find that very strange—or amnesia—that he forgot the way he voted.

When we talk about employment equity, it's the type of legislation I think all of us want to see in this province. I want to live in an Ontario, and I'm sure you and thousands and millions of other people in this province do, that embraces all people and allows them, if they have the qualifications, to be able to reach out for employment, whether they be man, woman; whatever religion they worship, whether they have a disability. I think that is so important. That's the kind of Ontario I want to live in.

When he talks about programs, I think he has to remember the Jobs Ontario program that we have, where we no longer just give out grants. We get communities to work together, to set what the priorities are in their community and, yes, they have to raise their own funds. We are being careful with our money, but also working with communities to make sure that it's well spent.

Mr Jim Wiseman (Durham West): I just want to make a couple of comments on the member's speech as well. I think we would be well served to remember that on the principle of employment equity, which was second reading of the bill, all of the opposition members voted against it. That's a very important point to remember. It wasn't against the content; it wasn't against the format; it was against the principle.

Mr David Tilson (Dufferin-Peel): Quota.

Mr Wiseman: The principle was that they are opposed to it. I just heard the member for Dufferin-Peel say that it is a quota. Maybe he should read what comes out of the Canadian Federation of Independent Business. That group has not traditionally supported the NDP, but it says: "There has been a great deal of misinformation in the media concerning employment equity. Therefore, it will be important for all employers to make sure employment equity does not become misrepresented to the

employees as a system that dictates employment decisions."

They go on to say—the difference between numerical goals and quotas—and I quote: "The difference is, if I determine what I am willing to commit to achieve, I have a goal. If someone else tells me what I must achieve, I have a quota." This is from the Canadian Federation of Independent Business, which has written an excellent pamphlet on employment equity. They go on to say, "Persons in the employer's entire workforce or in the geographic area"—and they've underlined this—"who have the necessary skills for employment in positions within a given occupational group—this is the group—this requirement extends to those employers with whom the employer could reasonably be expected to train." What they're talking about here is not quotas. The leader of the third party and the member who commented were incorrect and the Canadian Federation of Independent Business says that.

Mr Bradley: I commend the member on his speech, canvassing many of the ministries and what he feels has been their performance and, of course, casting it all as part of this legislation which is before us tonight.

Specifically, on the issue of employment equity, I think what the member has said consistently over the years has been that a person should get a job based on merit. He has been one who has defended that position for a long period of time. There have been people in our society who have been disadvantaged in years gone by, in terms of their opportunity to compete for jobs, both in the public and private sector.

Successive governments have provided encouragement to those responsible for employment to ensure that those who are seeking advancement or seeking employment from groups which traditionally have been excluded from the public service or the private sector—that those people have the opportunity to be considered for employment opportunities. But when it comes down to it, I think the sense has been that merit shall be the compelling reason why someone would hire or promote an individual, whether it be within the public service or the private sector.

Indeed, there are many out there who are concerned today that they do not have that same opportunity. One was because of an ad which ran in the *Globe and Mail*, or in the government newspaper—I can't remember which it was, the government one called *Job Mart* or *Topical*—which in fact suggested that people who were white males should not apply for the position at all. I think everybody should be given consideration. People from all backgrounds should be encouraged to seek both employment positions and advancement within their job opportunities, and it should be based on merit.

Hon Mr Owens: I listened quite carefully to the member for Scarborough North and I was wondering quite frankly whether we were living in the same province. I think that if the newly released diagnostic and statistical manual 4 from the American Psychiatric Association listed the word "bummer," that's exactly what would be describing the member's speech.

He claims that Jobs Ontario, Jobs Ontario Training in

particular, is not working. I challenge the member to tell that to the 64,000 people who have currently been employed by Jobs Ontario Training and the 20,000 employers who have taken up the program.

As a matter of fact, I was at a plant not too far from the riding and it may even have actually been in the member's riding, Ford Electronics, which is a division of Ford Motor Co. This very significant plant in Ontario has hired 85 new employees as a result of this program called Jobs Ontario. If the member has allegations that this program is not working, if there are people making accusations, I challenge the member to bring those names forward and we'll investigate and straighten out whatever real or imagined problems there are.

On the issue of employment equity, as my colleague said, I find it passing strange that a member who votes against it on second reading and is absent on third tries to associate himself with that concept. I ask the member, as a former senior cabinet minister in the Peterson government until a small accident befell him with respect to a cheque he cashed, why didn't he and his government bring in employment equity? In terms of the work he did as Minister of Housing, what did he do with respect to access to housing? What did he do in terms of kicking his program, the P-10,000 program, into action?

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The Acting Speaker: This completes the time for questions and comments. The member for Scarborough North has two minutes in response.

Mr Curling: I won't even bother to give a comment to the last member who talked about my checkered past. You must know more about myself than I do. I have no checkered past.

Let me just say this too: I've always committed to employment equity, equal access to all jobs. I still say that legislation must be put in place to remove those systemic barriers so that everybody can participate. It's very difficult; I will say that consistently. I don't think you will ever get the message. I have given up trying to—

Hon Mr Owens: What did you do about it? Show me your track record.

Mr Curling: I allowed the member to make his speech and make his accusations, which are false, to me. Would you give me the courtesy of responding in my one minute.

I am saying to you that I am a strong proponent of employment equity. I believe in fairness and access to all. I say to you that as legislators, we must have legislation to remove those systemic barriers that are placed there, to let everyone participate equally. Therefore, why should I or my party support legislation that continues to put more barriers in the way and then call it employment equity?

Madam Speaker, I know that you as a woman are quite as competent as any man, but if someone put a barrier in the way and said to you, "Because you're a woman, you may not get this," you'd need legislation. You'd need the big stick, the clout to move those barriers so you could participate, because you're just as good as any man sitting in that seat. But you don't need to be told that

because you're a woman, you may not get that. You would not support legislation that patronized you as a woman or patronized any designated group. So you get your facts and your definition right.

The Acting Speaker (Ms Margaret H. Harrington): Now we will have further debate.

Mr Larry O'Connor (Durham-York): Hi, David.

Mr Tilson: Hi. How are you doing?

The Acting Speaker: Directed to the Chair.

Mr Tilson: Yes, thank you, Madam Speaker. I will address my comments to you.

I'm standing today to speak with respect to the supply bill. I'd like to comment about a couple of matters specifically in my riding which affect the overall development of this province; some good news and some bad news.

One of the local newspapers in my riding, specifically the Caledon Citizen, in each edition prints a little column on its editorial page and it talks about the number of Rae days. That's not the Rae days from the social contract but the number of days left in which this government can legally stay here. Of course, we have no idea when this election that we're going to have sometime in 1995 is going to be. I suspect only the Premier knows that and I'm sure he'll tell us at the appropriate time, but we do know that the newspaper each week expresses—right now, I think, as of today there are 291 days, which is the longest that this government can possibly stay in power in this province. It says: "The next provincial election must be called no later than September 23, 1995, and that means that Ontarians will have to endure 291 more Rae days. Good luck." That appears in all of the editions of the Caledon Citizen. That probably expresses what many people in my riding feel. They have lost confidence in this government, with almost all of its policies.

Hon Mr Owens: Is that why Manac came to your riding?

Mr Tilson: I'm going to talk about Manac. We do have good news. The Premier was in my riding quite recently.

Hon Mr Owens: Jobs Ontario grant.

Mr Tilson: It's not Jobs Ontario, the reason why Manac came to the town of Orangeville. Manac is a Quebec company that decided to invest in the province of Ontario. It decided to invest specifically in the town of Orangeville. It opened last week, with much fanfare: the mayor, myself, the Minister of Transportation and the Premier of this province, and I think Mr Owens was invited but for some reason wasn't able to attend.

Hon Mr Owens: The company didn't want me there.

Mr Tilson: Didn't want you there? In any event, I would have welcomed you. I welcome everyone to Dufferin-Peel. It's a wonderful riding and obviously that's how the people from Manac felt. This company produces semi-trailers, which are essentially the longer trucks. Currently it employs about 150 people and will ultimately employ 200 people. This is part of Quebec-based Canam Manac Group, which has spent \$8.5 million renovating a plant in Orangeville which will begin

producing 16.2-metre trailers. The company has secured \$30 million worth of contracts to build and deliver 1,350 trailers for Ontario and Canadian markets.

As the member pointed out, there is good news in my riding, and there's good news for the province of Ontario, as the Premier quite rightfully indicated when he gave a speech in my riding. The member will probably wonder whether he would mention Jobs Ontario. Jobs Ontario wasn't any part of it at all. This company saw that Orangeville was a good place to invest and it came to this town to invest in the town of Orangeville, and we of course need that because we've had some bad times. We've had some bad times in this recession and there's no question that we are not going to be blame—at least, I am not going to blame—the NDP government for all of our woes. There's a whole pile of things that we could blame, different people. But there's no question that with the policies of this government, in my view, it's taken longer for the province of Ontario to start moving out of this recession than any other province, if you look at the economic statistics and forecasts of other provinces.

That is one piece of good recent news which we specifically in Dufferin-Peel are proud of. It's going to mean hopefully some spinoffs and will help the economy of the county of Dufferin and the town of Caledon.

All of this does lead to investing in this province. I think we are optimistic, whether it's because we hope this government will be gone in hopefully a very short period of time, because certainly its policies haven't done very much to improve investment in the province of Ontario.

There have been statistics put forward that Ontario's debt load has hit \$150 billion. If a family of four were required to pay that back, that would be about \$54,000, almost \$55,000, that each family of four would be required to pay back if we were obliged to pay that debt. That's just an idea, a comparison, to show you this debt that we have on this province. And this is just Ontario's debt.

All of this has an effect on all of us, all of our ridings, because there are other things that have an impact with respect to Ontario's debt. If you add in the total debt from across Canada, and then our various unfunded liabilities with Canada pension plan, the workers' compensation and the government-owned utilities, we are in the hole in this country \$1.765 trillion. I can't even comprehend how much that is, but it's an astronomical amount of money.

2000

I think one of the fears that all of us have, as have had different countries around this globe, New Zealand being one, is, will the bond raters come in? We look at the downgrading of our credit rating. The bond raters have come into certain countries, New Zealand being one, and simply said: "If you don't do this, this and this, we're going to do it for you because we simply won't give you investment. We won't allow you to have the credit." That's a fear, that the debt in this province is going to get so out of hand that the bond raters will start ruling our country and our province.

That debt of \$1.765 trillion for Canada, that's \$60,862

for each Canadian. If you compare it to a family of four, that's \$243,448 for a family of four. That's across the country. But we are in this country and that's something that we need to look at.

Canadian households are certainly starting to get out of the recession somewhat. I don't accept the comments that have been made by the Finance Minister in past weeks where he starts talking about how we are out of it, we're out of the recession, everything's fine, we've got all kinds of jobs.

I don't accept that. The debt is very deep and the debt continues to mount, and the debt in this province, the deficit in this province, whatever set of bookkeeping you're using, whether they're using the proper bookkeeping or the bookkeeping of this government, is an unbelievable debt and it's a debt that we're going to have to deal with or the bond raters are indeed going to come in and do something about it.

When you start adding the compounded interest on this debt, Canadian and Ontario interest, that makes things worse. So middle-income families who pay to keep social programs like unemployment insurance and welfare alive keep getting hit with higher taxes. Again, and obviously it's come out more and more, we keep asking the government for welfare reform and there has been no welfare reform. There must be welfare reform on some of these social services. It's not just the provincial government that needs to do this, to be fair to this current government. The federal government is going to have to do something and it's going to have to do something now: all of our governments. We have been spending beyond our means and it's got to, quite frankly, a crisis situation, so that we have unemployment insurance, we've got welfare, and the higher and higher taxes.

The Fraser Institute says that households earning \$44,900 or more a year are now paying more in taxes than they get back in government spending. That's rather astounding, that the services that they're paying for, they're getting back less than what they're paying out in taxes. It's something that I think is on everybody's mind, particularly when you get your paycheque and you look at the series of deductions that come off your paycheque or you see that you're having less and less money to spend than we have had a number of years ago. We start worrying whether our children will have a lesser standard of living than we've had. And why? Because we're spending beyond our means.

All of it gets to the issue in this current election that's going to come some time in 1995: What are we, whatever political party that you represent, going to do to deal with that debt? That will be one of the major issues and it will be interesting. Our party has put forward this view and of course we've had catcalls from the other side saying, "It can't be done." We really haven't heard too much policy prepared by either the Liberals or the New Democratic Party. In fact, the Premier simply said that there can't be any cuts, that we can't make cuts. So he has no intention of lowering taxes. He has no intention of reducing the spending. That's the statement he made last week.

Ontario borrows \$1 billion a month just to pay interest on the debt. I can tell you that we have got serious

problems when our debt has got to that crisis in this province.

One of the other issues as we look at the shifting of government's problems, from federal to provincial and provincial to municipal, is everybody blames everybody else. Mr Premier and Mr Finance Minister start criticizing the federal Liberals and before them the federal Tories for cutting back on transfer payments. The municipalities complain that they're being cut back, that they can't do the programs they have been mandated to do by the province without more financial assistance. The problem is the taxpayer. They don't care about this. All they know is that they've got too many taxes and that the services are coming fast and furious from all levels, whether it be municipal, provincial or federal, and we don't have the money to pay for them because the taxpayer has less to pay with.

Again I emphasize that the crisis, in whatever riding you're in—certainly in my riding it's talked about, the debt that this province has and how we're going to pay for it. They're worried about taxes. They groan about budgets. I mean, we're really worried about what the federal government is going to do come next February or whenever they're having their budget. We worry about the RRSPs. I don't know. I hope Mr Martin doesn't touch our RRSPs.

The total debt for Ontario has been estimated at \$76.7 billion for debt already issued; \$16.9 billion in other liabilities; \$4.5 billion for debt issued for Ontario Hydro; \$34 billion for contingent liabilities guaranteed by the province; \$11.8 billion in the unfunded liability of the Workers' Compensation Board. The total is therefore \$143.9 billion, which is prorated to include the \$10.2-billion growth in net new financing.

That's a crisis that all of us are going to have to deal with. We're all going to have to explain to our constituents around this province, and certainly in my riding I intend to tell my constituents how our party intends to deal with that issue, and I trust that the rest of you will as well and that the rest of you will be developing policies. I wait eagerly for the New Democratic Party and the Liberal Party to put forward their views on how they're going to deal with the debt.

I want to talk about one other issue which has bothered me, really, since I came to this place almost four years ago, and that is the subject of Teranet. Teranet developed probably from a policy that was created in the early 1970s by the then Progressive Conservative Party and it was called Polaris. The purpose of that was to computerize our land registry system in this province, and I think anyone who has been in a land registry office knows that this system cries out for computerization. It's one of the last confusing things that exists in this province. It's looking through old, dusty books. It's a most difficult situation.

In principle that sounds fine, but the difficulty is that this policy has developed into a project known as Teranet, which has resulted in the remapping of the province of Ontario, a joint venture or partnership with a company called Real/Data, which is a partner with the province of Ontario, and it is called the company of Teranet.

I have asked questions to the Minister of Consumer and Commercial Relations throughout the whole issue of this thing. I think many of us are concerned about our private rights being trampled on, the fear that there will be unusual fees to be charged with respect to this process once it gets working, the privilege of contracting out some of the surveying work and legal work that is being done to privileged surveyor firms and legal firms with respect to the work that's being done in developing this project.

As you can imagine, Madam Speaker, because you and I have been on committees several times where I've discussed this—I don't intend to spend too much time other than to read a recent letter just to tell the members of this place that the issue is still alive, that I'm still receiving letters from concerned citizens of this province with respect to this project. They're generally people who work in the system, whether they're surveyors or lawyers, because they are the ones who it's first going to hit, until the fees start increasing or until there has been an effect with respect to their personal property.

2010

The one letter I'm going to refer to, and I'm only going to refer to a couple of paragraphs, is a letter which I received in the early part of last month from a surveyor in Elora, which is just west of my riding, but he deals in my riding constantly as a surveyor. He does work in my riding and I meet him periodically at the Orangeville registry office and other registry offices.

He talks about this program of Teranet. He calls it "a waste of money, effort and time. Its mapping function is being based on unreliable information. It appears that for much of the 'platform' on which this mapping is based, it is prepared on uncertain and unreliable information. As well, satisfactory mapping information already exists for the object of Polaris."

"Privately, for they fear for their jobs, time after time, civil servants who are with the MCCR's real property registration branch have agreed with my belief that the Polaris program is not user-friendly, particularly to those who are concerned with the extent of title."

One of the examples, of course, is his own profession of surveyor, but there are all kinds of other people who look at titles, whether they be real estate agents, whether they be surveyors, whether they be lawyers, whether they be individuals who simply want to come in and look at their titles.

"While the concept is good on the face of it, the designers of the system seem to have provided a smokescreen of apparent proficiency of the system for those who may have been in the position for the approval of the system. I would be highly suspicious of a knowing user who would honestly say that Polaris is of any substantial benefit to the people of Ontario, given the tremendous costs in its preparation and the potential use by unscrupulous possessors of the database it purports to be reaping with the assistance of the public purse...."

"Polaris is foisting upon the people of Ontario an economic nightmare where the cost of research to perform an adequate professional opinion will be a

minimum of 20 to 50 times the present-day cost in many instances. In many areas of Ontario, we lose up to 10% of the physical boundary information (ie original or replacement monumentation in the form of bars, building reference ties etc)."

In fact, when I received that letter I made a recent question to the Minister of Consumer and Commercial Relations referring to when this program was first introduced by the member for Welland-Thorold, when he was the Minister of Consumer and Commercial Relations, with respect to the fact that there will be a cost of 20 to 50 times the present-day cost. We have to keep looking at that.

This individual continues by saying, "This program is changing the methodology of searching extent of title from a unit search (ie by the lot and concession/registered plan) to become a 'by the parcel' search," and this is where he gets into the issue of costs. I'll tell you, this is where it's going to affect the public, and that is when the public goes to buy or sell or mortgage a house. They're all of a sudden going to start finding costs in their legal bills, because they're responsible for those disbursements that the lawyer makes when he or she makes the search or the work that the surveyor does. The costs are going to increase when this program has been implemented.

He says, "The search within the three concessions that we were involved in October 24 was \$5 per lot. With the Polaris system and the requisite search of over 40 parcels at \$5 per parcel, one need not be a rocket scientist to see what a 'cash cow' is being slung at the unsuspecting public. As well as a 'cash cow,' is this fee for service not a tax on users? It would appear in the last published report to the House that I have seen that the MCCR's real property branch actually made a 'profit' if its revenues were considered as would be a private concern's if accounted for in a year-end statement. Does this 'profit' not go to the consolidated revenue, thus indicative of a tax without sanction of the House?"

We've all seen these fees. The Liberal tire tax, of course, was the worst, most flagrant example, which this government fortunately withdrew, a tax that was designed to solve the problem of our collecting tires around this province. They put a \$5 tax on it, and when this government and ourselves, the Conservatives, were in opposition, we, for the life of us, couldn't figure out where this money was going. Of course, where it was going was to the consolidated revenue fund. Quite rightfully, the New Democratic government took away that tax.

He continues and says:

"As a surveyor, I must try my best to render an opinion to the level of standard expectations.

"Polaris, if not truncated and the personnel involved reallocated to less sensitive areas, will introduce an economic facet in the rendering of opinions that is certain to lead to the diminution of respect for boundaries in Ontario and the retracement thereof. This system has been described to me by other civil servants in other ministries who have to use the system as being inaccurate, unreliable, poorly conceived, unilateral-interest-designed with other non-printable expletives included."

He's obviously quite annoyed with the Polaris project, as am I—perhaps not to the same extent. I introduced a bill in this House which asked essentially for Teranet to become more accountable. That passed second reading as a private member's bill. It went to the justice committee and there it sits. It's been sitting there since 1993 and there has been no real progress. The committee doesn't seem to want to deal with it, mainly because it's controlled by government members. Quite frankly, with statements like this, I think it almost cries out for some sort of hearing where individuals such as this individual, who has had some experience with respect to Teranet, and others can come and tell us exactly why they are making these statements.

He concludes by saying, "Polaris is good in theory in only unrealistic minds and is ill-conceived, tremendously more costly, leading to 40 to 50 times the present cost of researching and will be responsible for greater boundary problems arising over future years, long after the proponents of the system will be gone from their position of trust and responsibility."

A most damning statement on a development that is in the works. It is not upon us yet, but it's a most damning statement that really there has to be more accountability from Teranet, not just the private part of it, but the government part of that company, which should come to a committee and perhaps allow the auditor to go into that and do a complete investigation as to whether any of these allegations are founded or not. This is an experienced surveyor who's making these allegations. I have heard stories from surveyors and lawyers all across this province who are most concerned with the development of Teranet.

That is the second issue I had to get off my chest at this particular time on the last day of this House.

The government takes great delight in talking about Jobs Ontario. Everything is Jobs Ontario, absolutely everything. What used to be grants for development of cultural things is now called Jobs Ontario. We have in my riding of Dufferin-Peel, just recently opened in October, a most beautiful museum. It's a country museum which collects the history from our past, and we are most proud of it. It cost the province of Ontario about \$4.5 million. I congratulate—I think there were a number of ministers involved: Mrs Haslam, I think, when she was minister, and I am not too sure whether Ms Swarbrick had any handling of that as well. But we in Dufferin county appreciate the government assisting the people of the county of Dufferin in developing this museum.

I am simply saying, let's be honest about it. It's not Jobs Ontario; it's the creation of a museum. Yes, there were jobs in the construction of it, but it's as if it was creating all these wonderful jobs. It did. I'm not taking away the credit; I'm giving credit to the government for providing that financial assistance to my riding in developing a museum that we're all proud of. But I simply say, don't call it something that is something else.

2020
I must say we were all concerned when we read the Provincial Auditor's report, and one of the things that he talked about was Jobs Ontario. The Provincial Auditor

was quite critical of the waste that has existed in the development of the Jobs Ontario program.

Hon Richard Allen (Minister of Housing): Quite complimentary also.

Mr Tilson: I can tell you, I'm just going to read a summary and you can tell me whether he was complimentary about it. He simply said on the Jobs Ontario program, "We found that large cash balances ranging from \$2 million to \$32 million were held by some brokers between March 31, 1993, and September 30, 1993." The influence of these brokers around our province is still rather strong. If you're a broker and you have all this money hanging around and all this power hanging around, what a wonderful thing. This is what the Provincial Auditor is saying. He said this was costly to the taxpayer and unnecessary and that brokers should only be given cash when they need it for the program.

This is the most damning statement by the Provincial Auditor: "To March 31, 1994, administrative costs amounted to some \$69 million, or 20%, of the total program expenditure of \$342 million, and while this included startup expenses, it is nevertheless necessary to reduce the administrative costs of the program. As well, the efforts to assess the nature and quality of training provided through the program need to be more effective."

I'll read that final sentence because that seems to slip by everybody. I think we're all looking at the administrative costs that it took. Can you imagine the jobs that we can have in this province? We could give it away and we could create jobs. Almost \$70 million was in administrative costs, just to set this thing up, and I suspect a lot of it was bureaucrats and paperwork. I'm not so sure that was the right way to go about it. But I'll read the final sentence and then I will finish my comments with respect to Jobs Ontario. I'm simply saying—it's a twofold criticism of the government—that they're saying everything's Jobs Ontario. Even when you get into tourism, for example. What used to be grants to develop tourism is now called Jobs Ontario.

The final statement of the auditor was, "As well, the efforts to assess the nature and quality of training provided through the program need to be more effective." He challenged the actual operation of it, as to how effective it was.

My main purpose in standing here this evening at this particular time is to expand on some of the criticisms that I've had in the past of this government with respect to its waste management policy. Not only am I the critic for the environment with respect to the Progressive Conservative Party, but also I have the misfortune of having in my riding one of the three superdumps, which is just outside of Bolton, just outside a large population on the very southern tip of my riding. It is known as the Bolton dump or the Caledon dump or the Peel dump. Anyway, it's the second-largest of the three dumps.

I must say, I watched the process from the very beginning, long before I was the Environment critic. The former member for Markham I think was the member. I watched him and his frustrations at the development of Bill 143 and how Bill 143 was sort of rammed through this House. Prior, I think there were 57 sites that were

chosen ultimately by the IWA, and you got a lot of people upset around this greater Toronto area, with the fear that they were going to have a superdump in their backyard. There were 57 sites; I may have the number wrong, but it was approximately that. I think it was then whittled down to 15 sites. Then those people said, "Oh my goodness, it's going to be one of us." Then finally it was reduced to three sites, of course, one in each of Durham, York and Peel.

I'm going to keep at the government because I must say that this waste management policy—I simply say the government has none—is a serious, serious issue. I can remember, before I even thought of getting down to this place, reading of the former Leader of the Opposition, who was Mr Rae, standing at Whitevale and saying, "There will be no dump on these farm lands, no dump in Whitevale." He criticized the Liberals. He went to great extent and stood on this place and said, "There will be no dump in Whitevale." Well, guess where one of the dumps is. Guess.

I remember Mr Rae was in the House, the Premier was in the House, some time ago and he made it clear. He said, "Oh well, I said that, but I said that on the understanding that there wouldn't be a full environmental assessment." I guess what he calls a full environmental assessment and what the rest of this province calls a full environmental assessment are two quite different things.

I must say from the very outset, when the cabinet made a decision to reduce the time for the government review of the plan of the IWA, I think it was down to 60 days, without any consultation of other agencies, without any consultation of the federal government—I'm frankly surprised the federal government hasn't got involved in this issue, because it's now being established that there are aquifers under all three of these superdumps—aquifers.

Of course the government says, "Well, we have developed liners that will stop the leachate, forever." Do you believe the government, Madam Speaker, when they say that, that they have liners that are going to last forever and that these dumps are going to be maintained forever and that there will be no leachate down into these aquifers that provide us with one of our major commodities in this province, and that is water? I'll tell you, that goes down into the rivers and streams and ultimately into Lake Ontario.

I would hope that if there are any members of the federal government who are watching out there, you would consider asking the federal Minister of the Environment to get involved in this process. It does fall under some of your jurisdiction, because it's being charged from Keele Valley that some of the leachate is getting down into the water and ultimately going into the rivers and streams, which affects who knows what. At the very least, the federal government should be a party to these proceedings and for some reason has chosen not to.

The major criticism that I have and which all opponents of the government have is that the government will simply not look at all alternatives. So when Mr Rae stood on Whitevale and said there will be no dump in Whitevale unless there is a full environmental assessment—a

full environmental assessment at least says: "Well, let's consider other alternatives. At the very least, let's consider them."

I had a fellow in my office the other day who started talking about a whole process of composting that has been developed in Denmark and Germany. I don't know too much about it, but it's something that could be looked at. He talks about how of the garbage that comes into this plant, 70% of it would be composted, one third of it would go into recycling and the rest—and of course the composting holds the wet stuff, the stuff that creates the leachate and gets down into our aquifers and goes down into the ground. That would be disposed of through composting, and the remainder of it would go to a dump. Now, that may or may not be a good alternative, I don't know, but this government simply won't look into those things. They are determined to have three super—

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): We're building composts all over the province.

Mr Tilson: Of course you have composting all over the province, but I'm telling you of a process that has been developed in Germany and that has been developed in Denmark that can get rid of much of the major garbage you're talking about in this province. I suspect you haven't even heard of this. Of course I know about composting around this province. I'm talking about major composting developments, which quite frankly I don't think you've looked at.

The other issue is with respect to energy from waste. Somehow the former Minister of the Environment, Mrs Grier, who's now the current Minister of Health, got it into her head that energy from waste, or incineration, is a bad thing. We really haven't had an adequate debate about incineration in this place. Yes, members of the opposition, including myself, have mentioned it. I even took the time; I travelled to Virginia and I travelled to Pennsylvania to look at two energy-from-waste facilities.

A lot has happened since the former Minister of the Environment sat on municipal council, when she was so opposed, where I suspect she got it into her head that incineration was bad. I don't know how many years ago. I'm guessing it might have been—I have no idea how many years ago. My guess is 20 years. Perhaps that's too long.

2030

In any event, a lot has happened since she's been on municipal council. A lot has happened, and they have now developed baggers and scrubbers and all kinds of technology that dispose of the gases that come out of these incinerators, very modern plants that need to be looked at by this province. Everyone in the world is looking at energy-from-waste facilities: Europe, Japan, the United States, other parts of this country of Canada. Are we the only ones who are right, or is everybody else wrong?

Mr Wiseman: Yes.

Mr Tilson: You think everybody else is wrong.

Mr Wiseman: Yes.

Mr Tilson: Well, good luck to you, because quite

frankly I don't. I think you have an obligation to look at this type of development.

Hon Mr Charlton: What about your baghouse scrubber technology in Hamilton? You put in the latest. It doesn't work.

The Acting Speaker: Order.

Mr Tilson: You can criticize it, but I'm simply saying that you haven't even taken the time to look at what's happened, even while you're in office. There has been no investigation of energy-from-waste facilities with respect to this province since you've been in office. There's nothing. In fact, you passed a regulation that said no more incineration in this province. You won't even let people talk about it.

The IWA has come forward to Dr Kingham at the preliminary hearings and has said, "We don't even want people to talk about it," where they've made an application: "No, don't look at those alternatives. Don't look at the long rail-haul to willing-host communities. Don't look at incineration." That is what your puppet IWA has said, and I remind you who the sole shareholder of the IWA is. It's the Minister of Environment.

Yet you've continued to stand there and allow these dumps to go, at a cost currently—I don't know what we're up to now, \$75 million. We've just started the preliminary hearings. I don't know how long they're going to go. I can tell you, they're going to be dead stopped and they're going to be out of here once you people are out of office. But I can tell you, that's even before we get into expropriation. That's even before we get into the whole preliminary hearing process—\$75 million; unbelievable.

The other issue of course is the willing-host community. I know you've all heard, because they've been raised in this House and I'm sure you've all had presentations with respect to the willing-host communities. They're prepared to consider waste.

I'm not saying that these are the answers. It may be not using them. It may mean looking at a combination of these things. But this government says: "No, thou shalt have dumps and thou shalt not have anything else. Thou shalt not have incineration. Thou shalt not have long rail-haul to willing-host communities."

We've had the mayor of Kirkland Lake down to Toronto begging you to consider taking their waste. That's in the Adams mine site. I've been up there. I don't know how many of you have taken the time to go up there. I don't know, because you won't even allow an environmental assessment to be considered. There was a referendum by the community up there where they indicated that they were a willing host to consider at least looking at it.

Mr Drummond White (Durham Centre): No, they did not.

Mr Tilson: But you won't even consider it.

Mr White: The referendum said they wanted an environmental assessment.

Mr Tilson: But you won't even consider that, my friend. That's the point I'm trying to make. You have ruled that out. You have ruled all those things out.

Interjection.

Mr Chris Stockwell (Etobicoke West): You are crazy, Wiseman.

The Acting Speaker: Order.

Mr Tilson: You have ruled out the alternative.

Interjection.

Mr Tilson: I'm sorry, Madam Speaker.

Mr Stockwell: You could say you can let them have an environmental assessment, but you won't let them through here. What's the point?

The Acting Speaker: The member for Etobicoke West is out of order.

Interjections.

The Acting Speaker: The member for Dufferin-Peel has the floor.

Mr Tilson: It's been an amazing experience sitting in Caledon and outside of Bolton and watching the frustrations that have been going on by this IWA. They're difficult to talk to; they won't allow us to get into other considerations—the whole process.

I attended the first day of the preliminary hearing in Bolton, and Dr Kingham—I don't intend to be critical of the joint board, which was chaired by Dr Kingham. I don't intend to do that. I will say I sat there and watched 25 lawyers; you know, just paying the fees of 25 lawyers. There's that many interest groups, and this is going on in each of the three regions, these hearings, and they're all going to all of these hearings. Some of them only go to one set of hearings, another goes to another. Now, right as we speak, there are hearings going on in some hotel where all three hearings are getting together to talk about such applications as, "Well, should we proceed with these hearings when we know there are legal proceedings to stop them going on in the courts?"

The IWA wants to make a motion, and I'm only listing a couple of them, that says, "No, we don't want the board to consider these other alternatives." The board is going to be ruling on an application to deal with that.

Can you imagine, Madam Speaker? I can tell you that people in my riding, and I'm sure it's no different than York or Durham, they own a house there, they own a business there, and they walk into a room where there's 25 lawyers and they want to speak. Well, first of all, you can't speak unless you're a party, and you can't be a party unless you've got the financial resources to do that. Then we get into the whole subject of intervenor funding. The money that's going to be involved: It's a wonderful place for consultants and lawyers, an absolute wonderful place, and it's out of control. All the government has to do is to look at other alternatives, tried and proven other alternatives, but they refuse to do that.

I can only say that the people of Bolton and the people of Caledon, there are ratepayers who spend hours and hours and hours on this topic, and I can tell you that they are frustrated. They've asked questions through us, through members of the opposition to the government side. The two ministers of the Environment we've had have simply given vague answers and simply said, "It's not our fault." It reminds you of no-fault insurance. "It's

not our fault, it's the IWA." It doesn't matter that the Minister of Environment is the sole shareholder of the IWA: "It's not our fault. You go and see them."

I made a presentation to the IWA, as did a whole slew of other people. I doubt very much whether they listened. I made two presentations. One was up in Caledon and one was down by the lake. How do you get them to listen to you? Because they're not listening to you. They say, "Well, we can't look at these other alternatives." Why? "Because our political masters" over here "won't let us look at these other alternatives."

We're only asking what Bob Rae said when he stood on Whitevale and said, "No dump in Whitevale unless there's a full environmental assessment." That's all we're asking for, a full environmental assessment.

Then, of course, you remember the lifts. Remember the lifts?

Mr Stockwell: Keele Valley?

Mr Tilson: Aren't they wonderful? We have these lifts going up, but nobody knows anything. Those places were supposed to be closed. Britannia was supposed to be closed. No environmental assessment.

The waste management policy of this government is incomprehensible, unexplainable and most difficult to explain to people in my riding.

I am frustrated. Members of this House are frustrated. Members of the opposition are frustrated. I suspect there's at least one member of the government who's sitting right here now who's frustrated, because he's got a dump in his riding as well, and he doesn't know how to handle it. So we're sitting here trying to tell the government to be a little bit more environmentally friendly, and it's not.

I have a lot of grave concerns about these dumps, which range from, what, 500 acres to 350 acres. I forget. There's a lot of land. And they're all on prime, A1 agricultural farm land—all of them.

I remember asking the Minister of Agriculture why—you have these food land policies. My riding is semirural, and we're proud of our farms. Yet we've watched this government, we've watched the Liberal government, talk about their food land policies of how they want to protect farm lands, and of course their answer to that is they're going to put a dump on farm lands.

Then there's the whole health issue. Can you imagine putting a dump within a short stone's throw of the town of Bolton, where you can actually on a clear summer's day get the smell of garbage? Can you imagine?

Madam Speaker, I thank you very much for allowing me to speak. I hadn't intended to go on so long, but I must confess I get letters and I could read scads of them into the record. I'm not going to because I'm sure other members of this House have got the same letters, simply letters of bewilderment, whether you're talking all the issues I've raised, such as health. I can tell you that you're never going to elect a New Democratic member in these specific three ridings and the surrounding ridings, ever.

The Acting Speaker: Questions or comments to the member for Dufferin-Peel?

Mr Wiseman: Two minutes is hardly going to handle this one.

To start with, in terms of incineration, the member is saying that they're going to go to incineration. Well, you still need a landfill site with incineration. It's going to be a toxic landfill site that you're going to need. The other thing is that all those resources you're going to put into that incineration are going to be jobs that they're going to burn, throw right up the flue. I do not support this notion of burning jobs.

The other point that they try to make is that they've got all these scrubbers and everything. The most efficient incinerator in the world captures 98%; 2% it doesn't. On Metropolitan Toronto's garbage, which they would burn, which would be over one million tonnes a year, you would still be putting 20,000 tonnes of garbage into the air every year, which would be spewed over a wider area, which would contain heavy metals and all sorts of toxins.

2040

On expropriation, from this party, this party talking about expropriation, 23,000 acres in north Pickering, the difference in this bill is that they cannot expropriate until they have a certificate of approval, which is different.

Rail-haul: These people would spend thousands of municipal taxpayers' dollars trying to pay for it.

The agricultural land: Now, here's the joke of the day on the agricultural land. In the Toronto Star, Lorna Jackson got a dart because instead of putting a landfill site there they want to put huge subdivisions and roll them out over this land. They've been zoned for this. In Durham, for example, EE11 is on land that has been zoned industrial-commercial. They're going to destroy it anyway. So let's talk about that.

The alternative to this is green industries, is jobs and recycling and reuse and the creation of jobs through the use of materials that other nations in the world are getting a competitive advantage over us on because they reuse them and we don't. We can become more efficient, we can create jobs and we can create green industries.

Mr Bradley: I notice that the member for Dufferin-Peel made reference to many items that are contained in a book that should be on everyone's Christmas list, a book that's called *Rae Days: The Rise and Follies of the NDP*. It's by Thomas Walkom. It's Key Porter Books, and the price is—

Mr Stockwell: It's \$29.95.

Mr Bradley: —it's \$27.95. I'll be interested to hear whether the member was quoting substantially from this book from the prominent and distinguished author Thomas Walkom, columnist for the Toronto Star, or if he was quoting from the book *Giving Away a Miracle: Lost Dreams, Broken Promises and the Ontario NDP* by George Ehring and Wayne Roberts. Now, these two are strong New Democrats.

Madam Speaker, I know you're neutral tonight as the Speaker, but you may even have met Wayne Roberts and George Ehring, because they have been strong supporters of the NDP in years gone by. I know this was last year's, but there are special prices available this year, and I would recommend both of these. I'm wondering if the

member thinks that both of these books would contain some of the material that he's been talking about tonight.

Mr Tilson: Excellent books. They tell the whole story.

Mr Bradley: So that's Giving Away a Miracle by George Ehrling and Wayne Roberts. This is Mosaic Press. The last one, just in case people missed it, was Rae Days: The Rise and Fall of the NDP by Thomas Walkom, and it's Key Porter.

Then there's one by the member for Renfrew North, Sean Conway, the—how do you pronounce that?

Mr Gregory S. Sorbara (York Centre): Beauharnois.

Mr Bradley: The Beauharnois Scandal. This is certainly bedtime reading for anybody. It doesn't have as nice a cover—in fact, it's upside down—but some of the contents are very relevant to what the member has referred to in his speech this evening; a very good speech, I might add.

Mr Stockwell: Because I only have two minutes, I want to comment very briefly on this government's expansion lifts at Keele Valley and Britannia.

The member from Durham, being the fine environmentalist he is, the true saviour of the earth and all the good things that happen, like trees and no landfills and all those wonderful things he always speaks about, it's kind of strange, isn't it, that one of these people who, as an environmentalist, came to Metro council on many occasions and told us how terrible we were for looking to put in landfill sites and only allowing 15 or 20 years of environmental assessment hearings—that was never enough, they always said. I thought, "Well, there's an upstanding, fairminded, evenhanded gentleman, Mr Wiseman from Durham."

Mr Wiseman: I never said that, and you never listened because you were sitting behind your newspaper.

Mr Stockwell: Now, son of a gun if we don't get down here and who's sitting across the room from me but that same Wiseman fellow from Durham. That same gentleman in this House was part of a government—and I know he thinks environmental assessments are very important, they should be 15, 20 years long and you've got to investigate and analyse, can't do anything without an environmental assessment hearing. But there's this environmentalist, this friend, I thought, of the earth, of the trees and of the people, he approved expansion lifts to Keele Valley and Britannia. You know how much time he spent on environmental assessment hearings? You know how much time the government spent?

Mr Tilson: How much?

Mr Stockwell: None. Zero. Zip. Nada. Zilch. This environmentalist, as I sat across from him, I said to myself, "My God, he should have taken the bottle in front of him" because it was clear from what he said before he entered this august chamber and what he said as a member of the government that one was a good environmentalist and one simply became a good back-bencher.

Mr Wiseman: On a point of order, Madam Speaker: I know the member wouldn't want to put words in my

mouth. All of what he said is incorrect. The context of what I have said today is exactly what I said seven years ago, and I have the tapes to prove it.

The Acting Speaker: That's not a point of order. We definitely have a difference of opinion here.

Mr Wiseman: You're damn right.

The Acting Speaker: We do have time for one more question or comment. I will recognize the member for Brampton South.

Mr Robert V. Callahan (Brampton South): If you're talking about the old-world philosophy of burying stuff, I think to myself, someone will land on this planet about 100 years or maybe 50 years from now and they'll look at our landfill sites and they'll say, "My God, those people were growing refrigerators, stoves and all this stuff."

In essence, the government is reluctant to talk about the scenario that was put before us of Kirkland Lake, which was a marvellous idea. But for some reason they're so committed to the three Rs they're afraid if they look at an alternative that people will stop recycling, reclaiming and whatever that other one is. Yet Ontarians have done that religiously.

When we talk about incineration, I remember trying to talk to my council about 20 years ago about incineration.

Mr Wiseman: Talk to the doctors in Orillia. If incineration is so good, why is every doctor in Orillia opposed?

Mr Callahan: We have an incineration plant in our riding that is eminently safe, receives a certificate for safety. We burn about 65% to 70% of our garbage. The balance of it has to be done in the recycling process, and then the ash is buried in the landfill. But, my God, are we going to continue to use good agricultural land in this community, in this province, that is becoming more and more scarce every day, in terms of burying refrigerators and all this other nonsense?

If this government doesn't wake up and realize you can't get rid of the garbage problem through ideology, you have to deal with it intelligently—once they do that, this province will be safe environmentally and in terms of dealing with its waste.

The Acting Speaker: The member for Dufferin-Peel has two minutes to respond.

Mr Tilson: First of all, I'd like to comment on the two books that have been referred to by the member for St Catharines. I have read one of them, and I'm in the middle of reading another. They're certainly an excellent example of pathos and humour. I do, as well, recommend that all members of this House take the time to read both of them.

On a more serious note—actually that is a serious note—I would like to say to the member for Durham—what?

Mr Bradley: West.

Mr Tilson: West.

Interjection.

Mr Tilson: Yes, it doesn't matter where he's from, he's gone. But I would like to say to the member for

Durham West, all we're asking on this side is to do away with Bill 143; you know it hasn't worked. Do away with the IWA; you know it's a joke, you know nobody understands it and you know it's costing the taxpayers of this province too much money—\$75 million at the last count at least. Let the municipalities make the decision. They've always made the decision in the past.

For some unearthly reason, the current Minister of Health decided to come in and say: "We're going to decide everything. We're going to be Big Brother. We're going to make the decisions. The province is going to say where the waste in this province is going to go. We're not going to let"—what was traditional—"municipalities make those decisions."

They won't let us look at all of the alternatives. They won't let the municipalities look at all of the alternatives. They won't let the municipalities look at anything. All they're saying is, "You're going to have superdumps." They won't let us look at incineration. No, I'm not saying that the answer is incineration; I'm simply saying, "Look at it." It may be inappropriate in some places, it may be appropriate in others. Yes, there's no question that with incineration you need dump sites, but it may be inappropriate in some areas. Look at this new development of composting. I was quite impressed with it. It may need to be examined further. Look at the long rail-haul to the willing host communities. There are at least two who are prepared to take all of the garbage in this area.

2050

The Acting Speaker: Further debate on this supply bill?

Mr Bradley: I want to put a few things on the record this evening. I had an opportunity to speak for a few minutes last night. I want to complete those remarks tonight, only this time on third reading, because, of course, we wanted to see second reading take place last night and be completed.

First of all, I would like to report that the Premier, if people wonder why—we're not supposed to make reference to who's here or not, but I am just explaining why the Premier would be unable to be with us this evening; that is because he's on Studio 2 tonight of TVO with Steve Paikin.

Mr Sorbara: The other government network.

Mr Bradley: The member for York Centre says "the other government network," other than the CBC. Anyway, that's where he is tonight, and I just want to report that because I know he would want to be here for this debate, and that's quite legitimate.

I want to deal with a couple of items that have come to our attention. With Consumer and Commercial Relations, for instance, I want to again implore the government to look very carefully at continually rising automobile insurance rates. As we are in this House this evening, I'm sure there are people trying to get through to our constituency offices to ask questions about why their insurance rates are increasing, and I believe that the insurance companies should be called to account. They may have a good enough reason for doing so, they may not have a good reason for doing so, but certainly to

those who are seeing their premiums increase at a very significant rate, they are not pleased, and I am most sympathetic to their case.

I mentioned last night that it would be nice if we had an American-style committee where you call the people responsible for automobile insurance before the committee to explain what is happening out there and to justify the increases in a general sense, as opposed to a particular sense where people have a driving experience.

I also want to say that I served many years ago—I think Mr Ed Philip at the time, the member now for Etobicoke-Rexdale was the Chair of this committee. It was the justice committee dealing with the Re-Mor/Astra collapse that you, as a resident of Niagara Falls, will recall, Madam Speaker. We've seen something similar happen with Confederation Life. It seems to me that despite all of the instances we've had over the years of problems with financial institutions, here we are into another problem with financial institutions. It means we must be ever vigilant in that field.

If I can go briefly to the field of labour, those of us who represent the Niagara area—I can speak for St Catharines—have been perturbed by the length of time it takes to have cases processed by the local office. They do their very best to deal with people, for instance, who are not getting their rightful severance pay or feel that they've been dismissed inappropriately or something has gone wrong with a situation related to the Ministry of Labour. The waiting list is substantially longer than it should be, and I hope when the minister is allocating staff in various areas, establishing his priorities, in this case now her priorities, as one of the members from the peninsula, that St Catharines will be looked at as a place where we need additional staff to deal with the workload that is existing in the Niagara Peninsula.

In terms of education, I'd like to briefly touch on education this evening and say on behalf of the school boards in this province and teachers and administrators that one of the problems they are encountering is governments continuing to place a new onus on them each year, to assign to them new responsibilities without providing new and additional funding to meet those responsibilities and with an anticipation that they shall continue on providing the other services that are expected in education.

Those who have been in the classroom, and I have, always felt that the Minister of Education of the day, whoever that is, should have to spend about a month on the front line, in the classroom teaching, and then recognize the implications of provincial policies which are sent down to the various boards of education.

I know the core curriculum is a big issue with them, I know the exit from the social contract is a very significant issue with them, but I always suspected that the party that said it would do nothing to education for the next five years would be a party which would get considerable support within the teaching community.

In terms of transportation, the member for St Catharines-Brock last week had a forum in her constituency where she invited people to comment on transportation.

Ms Christel Haeck (St Catharines-Brock): Over 80 people.

Mr Bradley: She reports that 80 people showed up, and that's a good crowd, in my estimation, for a forum of that kind. Some of them were elected officials, some were community activists—

Ms Haeck: And some of them were from your riding.

Mr Bradley: And some were from the riding of St Catharines. I encourage people to attend these kinds of forums because I think they're useful. The point was made at the time that there is an emphasis primarily on the construction of highways and trying to accommodate vehicular traffic as opposed to looking at other options.

The member for St Catharines-Brock and I, and I'm sure others in the Niagara Peninsula, you included, Madam Speaker, would want to see the province and the federal government look at other options as well. I think the VIA train option, with provincial and federal cooperation, more frequent trips between the Niagara Peninsula and Toronto, would be very useful. I don't know whether we can justify a commuter operation, such as GO Transit, at this time, but certainly an enhanced VIA service, perhaps cost-shared by the province and the federal government, would be very useful to us; it would take some of the load off the highway. The member for St Catharines-Brock has mentioned, and I am supportive of this concept, that when the Ministry of Transportation is looking at options for the Niagara Peninsula and the future of transportation, it should look well beyond simply the construction of highways.

Enough said on that. I simply say that if people are interested they should contact the member for St Catharines-Brock, who no doubt has made an evaluation of the forum she held in St Catharines. I'll be interested in receiving from her a full report that I know she will be sending to me.

I won't get into the Attorney General's department because there's a bill coming up later on that will allow me to address that, and I don't want to take up too much time this evening.

I want to look at the field of Community and Social Services for a moment. One of the issues which has come forward more frequently now than in the past has been the issue of children being born into poverty. It is said on many occasions that we have a problem with children in poverty. It is an increasing contention of a number of people in our society that those children are being born into poverty.

One of the changes we've all seen in this House is the change in the number of people, particularly unwed youngsters of 14, 15, 16 and 17, who in years gone used to place their children up for adoption when they felt they were unable to look after those children and are now in very great numbers opting to keep the children. This presents a special challenge to our society, a challenge which is costly in terms of dollars spent, a challenge which is very difficult for the children born into these circumstances. I know the Minister of Community and Social Services, were he to consult with his staff, as he does, would understand that one of the real increasing

costs within his mandate is the cost of children born of teenage youngsters, in other words, often children raising children, and the consequences of that.

In terms of the counselling that takes place, I think it is time to return to counselling options other than simply retaining the children, because it makes it very difficult, it's a really tough challenge. I admire the people who are able to handle that challenge, but so many people are not. I think in our society people are now asking that we as legislators address that problem, and we will, no doubt, in some time to come.

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I wanted to mention the Canadian Mental Health Association because the member for St Catharines-Brock and I, and I suspect the member for Lincoln, have made representations to the government, and continue to do so, for continuing funding for the Canadian Mental Health Association office in St Catharines, the services provided. It's been almost a last-minute emergency service, in some cases, through the intervention of local members. We believe there is a need for it. We believe that ex-psychiatric patients particularly benefit from the services that can be provided by that organization, and I hope the government will give it favourable consideration.

Also, the member for St Catharines-Brock and I—we've raised a number of issues mutually, in this House and elsewhere—have dealt with the issue of Design for a New Tomorrow and funding for an operation there which would counsel the men who have perpetrated violence upon women in our area. It has been determined by those who operate Design for a New Tomorrow that this is a useful expenditure, that it is sometimes a preventive expenditure and certainly worthwhile of an investment of money from the government in that operation.

I hope the minister's evaluation of that program will be a rapid one and that we will see the funding forthcoming, because one of the issues we really have to confront in today's society is that of violence against everyone, and in particular we've seen some horrid examples of violence against women in our society.

I also want to deal briefly with the fact that there are a number of people in our society who do not have available to them benefits that others do in terms of health care benefits and insurance benefits. I believe, on a comprehensive, all-encompassing basis, that there's need to address that particular issue.

We've all been contacted by people and the government has announced an initiative—I'm not certain of the details—for instance, on prescription drugs that might be provided to people. It's very unfortunate when we're contacted by people who have to spend \$300 a month to try to get those drugs that are needed to maintain their lives or their health, while others, such as members of the Legislative Assembly and others, have the opportunity to have those covered by an insurance plan. I hope we can look at all people who are in the circumstances of not having appropriate benefits and try to extend those benefits to those individuals in our society.

The Acting Speaker: To the people having private conversations, I wish they would keep their voices down.

Mr Bradley: I also want to give an evaluation, briefly, because I've had a chance to look at it for four years, of the government agencies committee review of government appointments. I think what we have seen, essentially, is a change of the methodology with the results being substantially the same. Perhaps the member for Etobicoke West can, but I cannot recall the government agencies committee turning down one appointment that has been proposed by the government of Ontario, not one appointment.

I believe there's a need for careful scrutiny of those. Some of the appointments have been good; some of them have not met with the same degree of support from the opposition. But until such time as you have at least equal representation by opposition and government on that committee, you're simply going to see it as a rubber stamp of the existing situation.

I know there may be other members of the Legislature who are eager to make representations this evening in the field of supply, and I indicated, because I had an opportunity to speak for about 15 minutes last night, that I would complete my remarks tonight on the third reading instead of the second reading so that the bill could pass—just to show what an accommodating individual I can be, on occasion, especially when the table informs me of the consequences of carrying on in perhaps years to come. I won't elaborate on that.

I congratulate Tom Stelling as well, our Sergeant at Arms, for the excellent job he has done over the years. I didn't get the chance to do that earlier and I appreciate that opportunity. I would now like to yield the floor to any other member who might have an intervention this evening.

The Speaker (Hon David Warner): I thank the honourable member for St Catharines and invite any questions and/or comments.

Mr Callahan: I listened very attentively to the member for St Catharines, who always brings a very local flavour to his comments. One I wanted to pick up on was the question of the orders of day, now that we're going to prorogue tonight, hopefully; that the only two committees that are sitting are the pre-budget committee and the approval of appointments.

That gives me cause for concern because I wonder if we're coming back: If you look at it from a political standpoint, what better thing could you do if you were not coming back, if there was going to be an election, than to appoint as many of your friends as you could to all those choice appointments that are available through the government? As the member for St Catharines said, and the member from Etobicoke would say, these appointments are just a rubber stamp of the government's friends who are being appointed to all these plums that cost tax dollars of the citizens of this province.

I say to the citizens of this province, you're not going to see another coming back of this august group—and some of them are probably out there applauding. In fact what you're going to have is probably an election on April 27, and that's why there are no committees sitting. Very important committees like the public accounts committee, that was going to sit on issues that the

auditor, a person who is independent of this body, who has no political affiliations whatsoever—they are not going to have the opportunity to have public hearings. The Treasurer and the House leader say we were given the option of whether we wanted to sit or not. I say that's balderdash. As the Chairman of the committee said, that was orchestrated by the House leader in terms of giving his marching orders to the members of that committee, who heretofore have been non-partisan.

Hon Mr Owens: Just very quickly, I want to associate myself with the comments the member for St Catharines made with respect to the Sergeant at Arms' 25th anniversary, as I didn't have an opportunity to present Mr Stelling with cigars either.

In terms of his comments with respect to education, I would like to inform the member that the Common Curriculum is receiving broad support from educators and from parents, and we look forward to the report on the Royal Commission on Learning to ensure that its implementation receives broad consultation.

Mr Hans Daigeler (Nepean): One point the member for St Catharines raised was the appointment process brought in by the current government, that it was brought in under the guise of something totally new to clear up what was perceived to be not the right process, that was perceived to be appointing only those who were familiar to either the Conservatives or the Liberals.

But the reality, frankly—and this government has gotten too much away with it, so we have to put it on the record—is that the system hasn't changed at all. In fact, when I look at the appointments that were made in my riding, the affiliation of the people who have been appointed, not all of them but quite a few, is very directly NDP.

Personally, I do not criticize the government for that. I do think there is a role for the people who think similarly to the government to be appointed to various positions in the province. In my opinion, that's reasonable, as long as the people are qualified. In my riding I don't have any major problems that way: These are qualified people; they happen to have NDP associations. But the NDP should clearly say, "We didn't just appoint on the strict basis of qualifications; we also appointed people we know, and the people we know are NDPers." In terms of a change in that system, we haven't seen any change, and I think that should be made clear and that should be put on the record.

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The Speaker: Further questions and/or comments? If not, the honourable member for St Catharines has up to two minutes for his reply.

Mr Bradley: I appreciate the opportunity to respond to some of the interventions which have been made this evening. I just wanted to inform members that some of the ideas that I had for this evening came from a book called *Rae Days: The Rise and Follies of the NDP*, by Thomas Walkom. It's \$27.95. It is by Key Porter. It would make an excellent Christmas gift.

Mr Sutherland: I hear it has been discounted.

Mr Bradley: No, it has not been discounted, but this

one has: *Giving Away A Miracle*, by George Ehrling and Wayne Roberts, two prominent New Democrats, two supporters. This one can be discounted this year because it is a year old, but it's still very good and I'm just suggesting that if you've not purchased a gift yet, I'm sure that the authors would endorse your book, and I'm sure Thomas Walkom, because you're in the Legislature, would be prepared to sign the book, to autograph it for anyone. So those were some of the places I got these ideas.

I don't want to be accused of trying to sell books on TV. I don't want to be accused of that, because I know there are other books that could come out. Who knows? So you always have to be careful when you're selling those books. What could be out next time?

I appreciate the comment made by Mr Owens tonight because I think a lot of people are wondering what will come out of the Royal Commission on Learning. One of the things that happens with many royal commissions is that the report comes out and it's put on a shelf. I think that more than ever this time, people will be looking at the contents of that and looking for implementation of those which are positive and which have consensus in the community.

The Speaker: Is there further debate?

Mr Stockwell: Supply means you can basically talk about anything you want. So that kind of narrows the field a little bit for me really.

What I did today is, I noticed just a little while ago—I kind of like investigating little things that go on in this place and just finding out how much they cost because it's always enlightening.

When we talk about supply we always talk about billions of dollars or hundreds of millions of dollars for this and \$55 million—and it's really hard for people to put that in perspective because they never have that kind of money at their own disposal. They go to a football game or something and they'll see 50,000 people and think, "Holy smokes, look at all the people," and then you try and quantify \$50 million. So it's really tough for them to get it in perspective. Of course buying a house today, it's a few hundred thousand dollars of something—that's a lot of money. So when you're talking 20, 30, 40, hundreds of millions—billions of dollars—you're way out of their league.

So you know what I did? I noticed just outside the Legislature here—and the member for St Catharines would like this; it's not in the books he was flogging earlier, but it's kind of an interesting thing. We have a little stairway that comes up into the chambers here.

Mr Bradley: Stairway to Heaven?

Mr Stockwell: Stairway to Heaven, I remember that. Anyway, it was about six feet wide, roughly, maybe a little more—seven feet, and it had carpet on it. So the government decided that—you'd know about this, Mr Speaker, because it's in what they call the precinct and you're the man in charge of the precinct.

Hon Mr Owens: It's the Legislative Assembly.

Mr Stockwell: So—or maybe it's the Legislative Assembly, you're right. But anyway, they decided,

"Okay, it's got carpet on the stairs on that's six-foot-wide, three-step entranceway to the chamber. So we should probably take the carpet off"—and being in supply it's pretty appropriate—"and revarnish it and put up a railing so that people can hold on the railing coming in." That's what it is—it's seven feet wide, three steps, take up some red carpet and then varnish it and put in a new railing. So I went and checked to see how much somebody would pay to take some carpet up and varnish and put a railing in.

Mr Bradley: Forty-seven dollars.

Mr Stockwell: You see, people would understand this at home because they probably refinished some stairs or a hallway and they've had carpet taken up. So I went and checked to see how much it would cost the provincial government to do just that. Well, you're never going to believe how much it cost. I asked a few people I know. I said, "What do you think it would cost?" They said, "Oh, 2,500 bucks, 3,000"—

Hon Shelley Wark-Martyn (Minister without Portfolio in Health): Thirty-two thousand.

Mr Stockwell: —and there's the correct answer from Thunder Bay; it's right. It cost the taxpayers, to lift some carpet, varnish the steps and put a railing in, \$32,000. You could have a down payment on any fairly decent home, buy some homes in this province, and just the seven-foot-wide, three-step entranceway with a railing, \$32,000.

Mr Ron Eddy (Brant-Haldimand): No wonder the province is bankrupt.

Mr Stockwell: Exactly. The member for Brant-Haldimand hits it right on the head. If we're going to pay somebody 32,000 bucks to do that, no wonder we're \$90 billion in debt. It's really not that surprising.

So here we are at supply today and I thought that would be just a nice little bit of information the public could have. When they go to their Christmas parties, they can say: "You know what? At the Legislature I was hearing the other day that a seven-foot-wide, three-step entranceway that had carpet on it was taken up, revarnished and a railing put in, cost \$32,000." I just think that's awful, just shameful.

But that's not what I want to talk about—and that only took five minutes, but 32 grand, that's a lot of money, don't you think, Mr Speaker? I think you should look into that. I think there's something wrong there. Maybe not you; maybe the minister of overpayment possibly could have a look to see why it cost \$32,000 to do that. A guy like Thomas Walkom could write a book on just how much it costs to do things or get things done in this building. Anyway, that was \$32,000.

Interjection: Why are you attacking the Speaker?

Mr Stockwell: I didn't mean to attack the Speaker. There it is, Rae Days: The Rise and Follies of the NDP. That's 27 bucks—\$32,000; \$27. This is the private sector; \$32,000 is the public sector. A lot of money. But it's supply, so we can talk about pretty much anything we want, right, Mr Speaker?

So the next thing I wanted to talk about was: You know, I've enjoyed my years here; I've enjoyed the last

four and a half years and I found this to be a really interesting place to work.

Interjections.

Mr Stockwell: No. Could be. But I think what I want to drive at is it's been about four years and a bit and we're now going to prorogue the House.

Mrs Ellen MacKinnon (Lambton): So?

Mr Stockwell: Just hang on. We have really no major pieces of legislation sitting out there on the books.

Mrs MacKinnon: So?

Mr Stockwell: Just hang on. We really have no committees meeting; we really have only sat 20 days in the last nine and a half months, and you know what I think? I think it might be time for us to have an election. I think it's time that the people—

Interjections.

The Speaker: Order.

Mr Stockwell: I didn't hear them, but I think it's time for an election, because you know, whether you agreed or you disagreed with this government and its legislation, it always had something coming through and there was always a reason for this place to be in session. But this last session, you basically finished up, no new pieces of legislation on the books, you moved closure on the four pieces that you had and you really only needed 20 days this session to get your work done. It seems to me that maybe they're out of ideas and maybe we need a mandate. Maybe we need a new mandate for a new government in this province. Because you know, when I speak to the constituents around my riding—

Interjections.

Mr Stockwell: Because I think today—

Interjections.

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Mr Stockwell: You know, I was only going to go 15 minutes.

Mr Rosario Marchese (Fort York): Mr Speaker, let him speak.

The Speaker: The member for Etobicoke West has the floor.

Mr Stockwell: I was only going to go 15 minutes, so it may be a little bit longer if they keep interrupting me, Mr Speaker.

Mrs Karen Haslam (Perth): You've never spoken for 15 minutes only, ever.

Mr Stockwell: Only, ever. I want to get back to the point I was making. We've only had to sit for 20 days this session. Nine and a half months will mean 20 days of sitting. In those 20 days, four major pieces of legislation came before this House. All four of those pieces of legislation closure was moved on. This government doesn't have anything else in the works that they would consider major pieces of legislation. Committees are not going out in the intersession to meet. There are going to be no public hearings on any substantive issue before the Legislature. The government has little, if anything, on the agenda to deal with today.

It would seem to me it's about time for this govern-

ment to do the honourable thing and call an election. Why I think they should call an election is because obviously they're at a low point in the polls, but that's to our benefit and to their negative. But what gets to the point I'm trying to make—

Mr David Turnbull (York Mills): Nice steps.

Mr Stockwell: Thirty-two thousand bucks. Did you see those \$32,000 steps you just came up? Here they are.

Why I say this is because when I go across this province and speak to people in this province they ask one question and one question first: "When's the election?" They ask when the election is because they are absolutely obviously fed up with the government in hand and, really, any of the pieces of legislation they brought forward have not been accepted by the province as a whole. So we're sitting here, 20 days this Legislature, and we have to painfully work through, after coming five weeks late, get closure motions on four pieces of legislation, one of them a very important forestry bill that you gave one hour on second reading and one hour on third reading of debate. We have to listen to members opposite—

Interjection.

Mr Stockwell: Sorry? Oh, you're not talking to me. No, okay. Thanks.

Mr Sorbara: You are easily distracted, Stockwell. Just get on with the speech. It's really not very good, but get on with it.

Mr Stockwell: Well, I got the Speaker going like this to me. I thought this was a new sign. Little did I know this is a cabinet submission. Stop sending these over. Yorkview and Downsview clearly have nothing better to do. Sign your Christmas cards, for heaven's sake. I mean, that's all you've been doing for the last three weeks. Just sign your Christmas cards and stop sending me this stuff over; let me finish—and Fort York. My God, you'd think anybody who would sit in this chamber and sign Christmas cards for three weeks would go underground, but they in fact stand in their place and brag about it.

Now the member for Downsview's got a point of order, no doubt. He's standing up, doing up his vest. Hide your Christmas cards before you do your point of order, member for Downsview. Jeez. Are you ready?

Mr Anthony Perruzza (Downsview): No.

Mr Stockwell: As I was saying, it seems to me that the people of this province are ready for what I would call a general election in the province of Ontario. They have received little, if any, direction from this government; little, if any, direction.

Is he standing to be recognized, Mr Speaker?

The Speaker: The member for Downsview, a point of order?

Interjections.

Mr Stockwell: I will note the member for Yorkview did send me a Christmas card and the ink isn't even dry. So it's fairly clear that he has in fact just signed this. Thank you. And it's obviously personalized because it says, "All the best." So it's fairly clear, for all those people in Yorkview who get one of these and if it says, "All the best," you know he sweated over this maybe in

the Legislature. It's in two languages, neither one an official language.

Anyway, as I was saying—and I can't possibly be done in 15 minutes. Getting to the point, the point is, in all seriousness, the people of this province are requesting, asking, begging for an election. This government's run out of ideas, it's run out of plans and it's run out of hope. They've run out of any thought process that they had about changing this province for what they believed was to be the better.

They went into government talking about a whole bunch of issues that they were attempting to deal with. They talked about common pause days, which was Sunday shopping; they talked about insurance; they've been talking about casino gambling; they've been talking about revitalizing the Workers' Compensation Board; they talked about the health plans that they were going to do; they talked about walking the halls of this place—people would be allowed to walk in the halls of this place like never before. The corridors of power would be open to groups and institutions and people who have never been able to seek the corridors of power.

On a daily basis we hear from across the floor members like the member for Oxford or the member for Durham Centre or Durham East, Yorkview, Downsview. We hear from Fort York and Scarborough and Windsor, St Catharines and Lambton. We hear about the record of this government. They stand in their place and they talk about how good a government they've run for the last four and a half years. They talk about the proud accomplishments that they've made. I understand fully, as a government, they believe in their heart of hearts that they have in fact done as good a job as they possibly could have done.

So I think it's time to allow the people of this province to measure this government and measure it against opposition parties that have been fighting this government every step of the way. It's time for this government to stand on its record of deficit increases, to stand on its record of tax hikes, to stand on its record of public spending. It's time for this government, and Bob Rae, to stand on its record and go back to the people and let the people decide whether or not they think this government has carried forward and whether they think this government has done a good job in the last four and a half years. Because as a member of one of those opposition parties, I am more than prepared and very ready to allow the people to pass the ultimate verdict. I would suggest to you, not wanting to be too arrogant about it, what they think has been a good track record and a good government will not necessarily be what the people of this province believe.

In closing, it's a shame that this government could only sit for 20 days this session. It's a shame that we could only deal with four major pieces of legislation. It's a shame that they moved closure on those four pieces of legislation. It's a shame that nobody will work in this place for nine and a half months, that we'll only work in this place for 20 days. It's also a shame that this government is going to the very end of its mandate, because I think it would be reasoned and acceptable to

expect that when we have elections in this province, they're generally held every four years. As my member for Leeds-Grenville said, it's almost to the point that you're becoming an illegitimate government.

In my opinion, after four years, you are pushing the envelope with your mandate. Your popularity is very, very low—

Mr Robert W. Runciman (Leeds-Grenville): Six per cent.

Mr Stockwell: —at 6% of the decided vote. We are now closing in on four and a half years. You are now going to prorogue this session and ask us to come back in April so you may in fact put forward a new throne speech and a budget—

Mr Turnbull: With no committee work.

Mr Stockwell: —with no committees in between. I suggest to you that you've pushed the envelope, folks. You've got about a four-year mandate. You haven't got any significant piece of legislation coming forward. There's no new thrust coming through. It seems to me that any fairminded, reasoned individual in the province of Ontario, if they were sitting on the other side of this House, would say, "It seems obvious it's time for the general election of 1995."

And I say this with full value: that the vast majority of Ontarians in this province want an election and they want it fast. They're tired. The economy has not continued to pick up, and you know what else? The Ontario public knows the economy is not going to pick up until this government leaves office. There's a pent-up amount of money out there, pools of it, that is waiting for the next election. They're not going to reinvest until the socialists are out. This economy is not going to make any recovery until the socialists are gone.

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It seems pretty clear to me, considering the pent-up amounts of money out there—the entrepreneurial, the free enterprise, the capitalist market—they're not going to free up this money until you people have called an election and the people of Ontario have decided your fate. I would say, the best thing that you can do for the people of Ontario, the best thing that you could for the economy of this province, the best thing that you can do for job creation in this province to help out people on limited incomes, to help those who need the help the most, the best thing you could do for every citizen around is call an election, get it over with and get a new government that will begin to restore the faith in the people, restore the faith in this province and finally turn the corner on the economy.

In closing, and I didn't go much over my 15 minutes, I want to say, if you've got any concerns out there about \$32,000 to fix these steps, you can write to my office or phone me at 416-325-7535. I'd really like to have a private contractor come in and tell me how much it should've cost to fix three steps, seven-feet wide, take up the carpet, varnish it and put a railing up, because I think \$32,000 is somewhat outrageous.

Mr Callahan: It's Jobs Ontario, though, that did it.

Mr Stockwell: That's right; it's Jobs Ontario. But you

know, the other day, the cabby I was driving along with said, "Jobs Ontario? If you give me a tip, you create another Jobs Ontario job."

Mr Speaker, I'd like to thank you for allowing me this time to comment on that. I'm glad I found out about the \$32,000; I think the people would know. And I want to ask the government, Jeez, if you can do the people one favour, just call an election, because I think they're waiting for this election like they've never waited for an election in their life.

The Speaker: Questions or comments?

Mr Callahan: We have been looking for ways to save money in this Legislature, and I want to thank the member for Etobicoke West, who just saved \$32,000. We'll just close the front door of this place. It probably wouldn't matter anyway.

In terms of the member for Etobicoke West, he's wondering why we're proroguing tonight after 20 days. Well, the Premier knows and everybody else knows: We're not coming back.

Interjections: You are not coming back.

Mr Callahan: In fact, I have to compliment the Speaker. The last question in this House was the question by the last member of the New Democratic Party government who will ever ask a question in this House for many, many years to come, until the people get rid of the hangover of having elected a socialist government.

Let me tell you, though, in terms of the member for Etobicoke West, we have heard common sense. If his leader only had as much common sense, they might have a chance of winning 12 or 13 seats. But he is not the leader of the third party. Mr Rae? No, no. I'm sorry, Bob. Mr—what's his name? I've forgotten him already. In any event, that was common sense, but the slash-and-burn tactics of the Conservative Party are things that just are not going to be bought by the people of this province.

So I say to you, get your signs ready. I think it's in the air. People are looking for an election. They're fed up with what's happened in this chamber, they're fed up with what has happened in this province. I think the member for Etobicoke West puts it very well: that until this government is defeated and until there's an election held, the enormity of the problems we have in this province will not be solved and the benefits of business will not come back.

Premier, you're shaking your head, but it is true. And you will not be back because you wouldn't dare come back with a throne speech, because you'd have to defend and it would be Agenda for People II.

The Speaker: The member's time has expired. The honourable member for Downsview.

Mr Perruzza: I don't know how, in two minutes, you could possibly do justice to many of the exaggerations that basically have been tabled on the floor of the House tonight. Now, my honourable friend the member for Yorkview says that the member for Etobicoke doesn't exaggerate. Well, I say to my colleague for Yorkview, you are wrong.

Mr George Mammoliti (Yorkview): I'm wrong?

Mr Perruzza: You are absolutely and completely wrong, because the member for Etobicoke West seems to have made a practice in this Legislature of doing nothing if not exaggerating what has been going on over the last little while.

Mr Speaker, you know the Conservatives were in power when we came to power. We all of a sudden fell in the throes of one of the worst recessions ever, and what did the Conservatives do when people asked for help? What did the Conservatives do when people asked for help? Well, I'll tell you what the Conservatives did when people asked for help. I'll tell you what the Conservatives did: They simply walked away from the table. They walked away. They turned their backs on them. They absolutely turned their backs on them.

He talks about the deficit. Well, they are like the kings of the deficit. The Progressive Conservatives are like the creators of the national debt and the national deficit. Look at the books, look at the books.

I think Donato here of the Toronto Sun has captured the essence of the modern Conservative Party in the province of Ontario and that's a golf pro with a golf club through his head.

Mr Norm Jamison (Norfolk): My comments will be short. The member for Etobicoke West was indicating that he would call an election now. I would just like to remind him that we have a leader here who will call the election at the appropriate time. He has the integrity as a leader and the honesty to do that, and also has vision and integrity built into one.

I would say that there was proof in the House today that spoke directly to integrity in this House during question period. When I, who seldom gets on his feet in this House to complain about the opposition parties—I can tell you the fiasco in this House dealing with integrity about how a leader would react to something in this House that certainly should not have been brought forward, if at all, in that manner. It was certainly not indicative of any leader or person that would hope to be the leader of a government in this province in the future.

I can tell you that what we've heard from the member for Etobicoke West has been much the same tonight, and I would just like to remind him again that he's not the one to call an election. The Premier of the province will be the one to do that.

The Speaker: Questions or comments? The honourable member for Leeds-Grenville.

Mr Runciman: Mr Speaker, I wasn't going to participate, but the member for Norfolk prompted me to with the comments about my leader, comparing him to his leader, and I just simply want to review some of the history with respect to your party and your leader.

We can talk about the Agenda for People that was the platform your party ran on in the last election—

Mr Stockwell: Full of integrity.

Mr Runciman: —full of integrity, full of promises that you completely failed to keep.

We can recall the 1990 election. Bob Rae, then the Leader of the Opposition, calling then-Premier David Peterson a liar. That's how the campaign began, by

calling the Premier of the province a liar. That's your interpretation of integrity.

We can talk about Peter Kormos standing in this House for 17 hours in a filibuster on auto insurance, and your party coming into power and bringing in closure—closure—four times in the last 20 days. And you talk about integrity, you talk about democracy.

A more serious issue raised by my leader today was the stand your Premier has taken in opposition on human rights and his visit to China and the fact that this government is selling nuclear reactors to the government of China, a government responsible for the deaths of thousands and thousands of people. And you describe that as integrity?

The Speaker: The member for Etobicoke West has up to two minutes for his response.

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Mr Stockwell: I wasn't going to get too riled until the member for Norfolk stands in his place and starts listing off the concerns that he has with the Conservative Party. (a) I know the Premier's going to call the election; (b) I can't wait; (c) I think you better check the history books and review your party's stands in opposition and some of the things they did, because the member from Leeds is very accurate.

Let's talk about Temagami and the fact that your leader went up there and got arrested with Mr Drainville. Mr Drainville went to jail. Your leader didn't go. He had the integrity to get elected. He didn't have the integrity to stand trial. Don't start lecturing us about whether or not we have integrity. You don't really appreciate the way we handle things. That's the difference in this House. You have one complaint about what took place today and you start lecturing us on integrity.

The best one is Agenda for People. You went and campaigned on this, talking about these promises that you made that you have no intention at all of fulfilling.

The negative advertising, another example: You went on TV and you said the Liberals were selling Ontario Place. That's what you campaigned on. That was your advertising. Your Premier stood down there in the press room downstairs and called Peterson a liar five times because he didn't implement his auto insurance plan. You people talked about full government auto insurance run by government and you had the nerve to back off on that. He sat down there calling Peterson a liar because he didn't go ahead on his plan.

I was here to debate whether or not we'd have an election—and a \$32,000 cost to fix some stairs heading up here—and I have to listen to the member for Norfolk starting to question our integrity when the integrity of your party is so bloody awful it's unbelievable.

Mr Sorbara: I have quite an act to follow. One doesn't often want to have to follow the member for Etobicoke West. One generally doesn't have enough voice to meet the kind of "standards" that might apply to a speech from the member for Etobicoke West.

Like the member for Etobicoke West, I tend to think that today is the last day this Parliament will be sitting and, frankly, that's why I'm here. I just wanted an

opportunity to put a few last words on the record as I look around this room from this marvellous vantage point probably for the last time. Let's be clear about it.

Applause.

Mr Sorbara: Well, there's some applauding that it's going to be the last time. Let's be clear about it. We don't know whether this is the last time. My friend from Norfolk was right. The Premier will call the election; the Premier will decide when the election is going to be; the Premier, in his wisdom, will walk down the hall, perhaps on March 20, perhaps on April 17—it'll be a Monday so that 37 days will pass to the election which must by law be on a Thursday. But the Premier will call that election.

I guess I'm going to start on that point because I think probably that's as good a symbol as any to indicate what's wrong and what needs to be fixed. I remember when the Premier was in opposition, he called this right of the Premier to fix the date of an election "the divine right of premiers." He criticized it, I think appropriately and brutally, and suggested that maybe if he were the Premier, we would put those kind of reforms in place that would take away the power of the Premier to call an election and invest that in some legal mechanism so that we could have regular, timely elections in the province of Ontario.

The Treasurer's shaking his head, but I remember the words so carefully, I say to the Premier. This was when you, sir, were in opposition—

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): When was that? That was a long time ago.

Mr Sorbara: It was all of your life. To be more specific, it was early in 1990, and you referred to this power of the Premier, the divine right of premiers, to call an election at the Premier's will. It didn't go well for us and I think perhaps it's not going to go as well for the incumbent Premier when he finally makes that decision.

We don't know whether we're in the last day of this session. We don't know whether our work is over. All of that power is vested in the Premier and I point to that as a symbol because if we could address ourselves to a simple thing like that, I think that some day we might get on the road to some sort of healthy reform in Ontario.

I remember when I first ran in 1985—and I think probably I'll remember a few things in the course of these few remarks tonight, because again I think it's my last address to this Parliament. I remember in 1985 as I was considering my candidacy and we were waiting for Frank Miller to decide whether or not he would call an election. No one knew and I thought, "I would love to get into that Parliament to help us change the rules so we could have a set time for an election, to take that power away from the Premier and to put it in a law to give it back to the people to let the people's law decide when elections would come, rather than have premiers decide when it might be most convenient for a government to go back to the people."

When I heard the Premier, when he was Leader of the Opposition, suggest that he might actually change this and give us a standard election period every four years or

every five years—but it comes automatically. It comes at the end of the term. When I heard him say that, I thought, well, after the election, now that he's elected, maybe those sorts of reforms will come. They didn't come and all of the other things that seemed to be promised, not just in the Agenda for People which was the campaign document, but all those things were promised. The promise of a New Democratic Party government never came to pass.

Now this government's life is coming to an end and as it comes to an end, I think I have to confess it hasn't all been bad. Those who say that the economic circumstances of the province must all be laid at the feet of the Treasurer, or the Premier, or the New Democratic Party or its cabinet—it's just political nonsense. It doesn't make any real sense whatever. These have been, as the Premier has said, very tough times in Ontario, really tough. They would have been tough for anyone.

But when you look at the four and a half years this government has been in power, and you look at it really carefully and perhaps with some objectivity, I think the conclusion you have to come to is that this government has been horribly erratic in its behaviour; horribly inconsistent with its principles and horribly unpredictable. Of course, in government, the lack of predictability, the lack of having a sense of what's down the road, makes it very, very difficult indeed for the people who live in the jurisdiction to have confidence in what's coming tomorrow.

Perhaps some of those things that the government did were inevitable. Perhaps it was inevitable that we would have casinos in Ontario, but it was with some surprise and shock that a New Democratic Party government brought us casinos in Ontario. The easy money economy as the Premier used to describe it when he was in opposition.

Perhaps it was inevitable that we wouldn't have public automobile insurance. I for one lived in British Columbia when public automobile insurance was brought in by Dave Barrett in 1973 and it worked very well there. I thought, maybe this government when it brings in public automobile insurance will have hit on something that has worked elsewhere in Canada and it might be time in Ontario.

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I remember, as vividly as I can remember anything, Bob Nixon, the former Treasurer of Ontario, saying to me after the election but before the cabinet was sworn in and before we began the first day of sittings of this Parliament, "It seems to me that their very first bill has got to be automobile insurance." He expected that we'd come back here and that would be the first thing on the agenda. Of course, we never saw the bill.

The whole thrust of the Peter Kormos filibuster and the determination to do away with the Peterson Liberals and their insurance scam; maybe it was inevitable that we didn't have it, but somehow it's significant of the lack of predictability and the general sense of dismay that this government has left this province in.

It hasn't all been bad. Perhaps it was predictable that in this province we would go from fully subsidized roads,

free highways, to a system of tolling. Perhaps that was inevitable. It's right throughout the US; we see more and more toll roads being built. Perhaps that was inevitable, but it was so inconsistent, in my view as a student of political history, that it would be an NDP government that would launch us down the road of electronic user-pay highways.

Hon Floyd Laughren (Deputy Premier and Minister of Finance): Nonsense. You don't know your history, then.

Mr Sorbara: The Treasurer says I don't know my history and I don't pretend to be a scholar. It just seemed to me, as I as a Liberal understand the major themes of the New Democratic Party and its predecessor, a little bit surprising, a little bit inconsistent, a little bit ironic.

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): It's all my fault.

Mr Sorbara: The Minister of Consumer and Commercial Relations leaves and says it's all her fault. Well, of course, it's not her fault, but she's the one who gave us casinos.

I remember when I was in her ministry, when I was the Minister of Consumer and Commercial Relations, that the very same folks who have wanted casinos in Ontario for a long time came to me as minister and said, "We have a proposal to present to you, Minister, for state-run casino gambling in Ontario." My response was simple. I said: "I don't want to be the minister who brings casino gambling to Ontario. Maybe it's going to come one of these days, but I don't want to be the minister who does it." I think that if Bob Rae had been asked in opposition whether he would be the Premier who would bring forward casino gambling in Ontario, I think in opposition he would have said no.

All of that gets papered over in one way or another with the Premier's favourite expression, I think, "That was then and this is now." In a sense he justifies, and I think in some cases appropriately, the fact that government is very, very different than opposition, you have to meet the demands of the day. Yet it just seems so inconsistent that it would be the NDP that would, by law, breach and modify and amend every single public sector agreement in the province of Ontario.

Hon Mr Laughren: What would you have done?

Mr Sorbara: Again, the Treasurer said what would I have done. I'll tell you what I would have done, I would have not taken the approach that your government took in terms of the social contract.

I think my views were on the record then and I'll put them on the record again now. I would have had a rollback of 5% of everyone that receives salary from the public treasury in one form or another—not a social contract. I would not have had a social contract, I would have had a legislated rollback.

Hon Mr Laughren: What's the difference?

Mr Sorbara: The Treasurer says, "What's the difference?" He knows very well what the difference is; it was a very different thing.

Hon Mr Rae: That wasn't your leader's position; that was the opposite of her position.

Mr Sorbara: My friend the Premier says that was not my leader's position. I think that is obvious. I'm not here tonight as I say goodbye to say I've agreed with everything my leader has advocated. The fact that the Premier thinks that in this Parliament we should all be of one voice is—

Hon Mr Laughren: That is not what he said.

Mr Sorbara: Well, if that's what the Premier is arguing rhetorically by way of his questions, so be it. That wasn't my leader's position; that was my position, that there should be that kind of rollback.

The point I'm trying to make is that it just seems so inconsistent that a New Democratic Party government would breach and set aside and strike down every single collective agreement governing almost one million employees in the province of Ontario. I just think it was inconsistent. I mean, we know there's no consistency between what this governing party offered in 1990 and what it did throughout this period, and still the message hasn't gotten through.

I tell the Premier that I tuned in for a few moments to his TVO session with Steve Paikin on Studio 2.

Hon Mr Rae: Why didn't you call in?

Mr Sorbara: The Premier says, why didn't I call in? Because every single staffer in every single minister's office was calling in with all these planned questions, talking about what a wonderful job the Premier had done. Why was I not surprised? It was quite a program. Tapes are available for only \$5.95 from the Office of the Premier of Ontario.

The theme of that program, and the theme of all of the speeches over the past while, has been, "Well, this is really a tough job, but somebody's got to do it."

Hon Howard Hampton (Minister of Natural Resources): Greg, you were going to phone, right? But, like a Liberal, you changed your mind?

Mr Sorbara: My friend from Rainy River says, "Greg, you were going to phone." Frankly, I was tempted. I'm lobbying the Premier very hard right now to follow through on some of the good commitments: to get the damn subway built to York University before he leaves—he says he's going to do it, and I think he's a man of his word and he's going to do it—and some of the other things as well.

But all of this will just sort of go down in the history books, and it'll be a pretty rough time. The government is going to get defeated. It's not going to be re-elected, and it's not for one particular thing or another. It's not the social contract, it's not the casinos, it's not the cut in services. In my view, it's that quality of inconsistency, that lack of reliability.

Hon Mr Laughren: You are saying that?

Mr Sorbara: The Treasurer says I of all people was saying that. We were defeated in 1990, and I think perhaps with very good reason, and you will be defeated for reasons that are similar in nature.

Hon Mr Laughren: Really?

Mr Sorbara: Yes, I say to the Treasurer, really.

Hon Mr Rae: I think it will be for a different reason.

Hon Mr Laughren: Yes, I think it will be a different reason too.

Ms Murdock: We didn't call the election early.

Mr Sorbara: My friend from Sudbury says she didn't call the election early. After about a year and a half of this party being in government, lots of my friends around Ontario were saying, "Maybe an early election is a good idea; maybe we should have elections after three years."

I'm reminded of when another government came to its final day, and this was really a great day in Ontario. It was June 18, 1985. That was the day, I remind you, Mr Speaker, when a non-confidence vote was taken in this Legislature which brought to an end 42 years of Conservative government in Ontario.

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I think of that day because, again, I believe this is the final day of this Parliament, and that was a day when the Parliament continued but that government came to an end and there was a transfer of power. And unlike this evening, when we've heard a lot of sort of raucous noise, sound and fury signifying you know what, I remember my friend Bob Nixon—

Hon Ms Churley: What?

Mr Sorbara: Signifying nothing, my friend. Nothing, I say to the Minister of Consumer and Commercial Relations.

Hon Mr Rae: You're the one who's talking.

Mr Sorbara: Well, you know, I'm just saying goodbye. There's not a whole lot to say when you're saying goodbye, and with this degree of heckling, it's rather difficult, I'll tell the Premier, to carry a consistent theme.

But when that government came to an end on June 18, 1985, the then Treasurer, Bob Nixon, gave a truly magnificent speech. Anyone who cares much about the quality of the debate in this Parliament would be well advised to read that speech.

I remember Mr Nixon saying that 42 years of Conservative government are coming to an end, not all of it bad, and the great thing, he said, was that the mantle of power was going to pass to a new party and a new government, and no school buses would be blown up and no one would riot in the streets and no one would take up arms and there would be no bloodshed and there would be no civic disorder, but that our system had provided an orderly, peaceful way for the true essence of democracy to express itself in the transfer of power from one political party to another, even after 42 years.

I just want to remember that speech tonight, because it seems to me that this is yet another moment when the life of one government is coming to an end, its legacy not all bad, its record not all one of mistakes, what it left the people of Ontario after four and a half years not all of it bad and not all of it good.

But the great thing that is about to happen is that the central theme of a democracy—that periodically governments will put their record before the people and the people will decide and the people will choose a new government—that great event, just like the seasons coming again, will come again in Ontario. What will

happen is, all of us soon will be asked to leave our seats and clean out our desks, and some of us will go back to the people and ask again for support and some, like me, will say, "Thank you for the support and the opportunity" and go back to private life. To me, that is the great, great thing about a democracy and the great thing about this place that has 130 desks in it.

This place to me is really the sacred sanctuary of free speech. We have the freedom to express great thoughts and the freedom to heckle and be as irrelevant as a casual conversation on the street corner. But it's this place here. This is the symbol of democracy. This is the place that expresses our system of government, based on the right of the people every four or five years to evaluate a government and change a government and renew the membership in this wonderful and glorious place.

I just want to say that after nine and a half years in this place, in what I think will be my final remarks, I just consider it a tremendous privilege to have served here, a tremendous honour. I think the greatest calling of all is to be chosen by the citizens to do the citizens' business, and in this province, the way in which we do that is to stand for election and, if elected, to come and debate issues of public policy in this House.

Most of the time, the debate is managed and shaped and determined and driven by the government agenda. I frankly hope that changes somewhat in the next Parliament. I wish for the next Parliament that we would completely rewrite the rules and reduce the iron grip that the government now has on the parliamentary process.

This was another issue of terrible inconsistency, the record of the NDP in changing the rules of this Legislature. After some, I don't know, 25 years of liberalization of the rules, driven primarily by NDP leaders and NDP government House leaders, a 25-year agenda of liberalization and more power and responsibility for opposition members, an NDP government that came to power seized all of the power. In my view, I should tell my friends frankly, this place lost much of its relevance on the evening we changed the rules to allow government to use closure at will. For me, it was all over then. There was no more opportunity. We had virtually nothing left in parliamentary terms in which to hold the government to account.

But we come and go, and rules come and go. My hope is that in the next Parliament there will be a refreshing new approach to this Parliament and that we can change the rules so that once again we start engaging in real debates about real issues of public policy. I think we've deteriorated here over the past three or four years. Question period is almost intolerable.

Hon Mr Rae: Tell me about it.

Mr Sorbara: The Premier says, "Tell me about it."

Hon Mr Rae: That's a great admission on your part. We reached a new low today.

Mr Sorbara: And the Premier says we've reached a new low. I don't think so. I think we've been on that same track for quite some time. But these are passing trends, and what remains and what is permanent is the system itself.

I believe that the system needs attention. The system is on the critical list, and I hope that those of you who return here in the next Parliament pay some small attention to that, to start to look at the way in which this sacred sanctuary is governed and how the day-to-day activities of this place play out during the life of a Parliament.

This Parliament I believe is about over. Some of its work will stand as a tribute to the government. Much of it I think will be changed and revised and reworked for the greater good of the people. For me, it's been, as I said earlier on, a tremendous and great honour to have sat in this place and served the people of this great province.

The Speaker: I thank the honourable member for York Centre for his contribution to the debate and invite any questions and/or comments.

Mr Perruzza: I'm going to do this very briefly, since we're speculating on the date for an election and whether or not we're going to be back in this place. I tend to hope for a long campaign period, because I believe the public should have a real opportunity to take a look at all the platforms put before them at election time and to really have a good look at all three parties, and I tend to believe that one should happen some time in late summer.

I believe that we're going to be back in this place, so I suspect we're going to have an opportunity to do this again, but in the event that the member for York Centre is correct and we don't come back to this place, I just want to, as an opposition member, put my comments on the record as well with respect to the member for York Centre in his goodbye to this place.

I met him earlier on in the mandate, Mr Speaker, and I guess from the outside you hear a whole lot of things about a whole lot of people, but I can tell you that after having gotten to know him a little bit over the last four years, I guess as well as a government member can get to know an opposition member, I've come to respect his good judgement and on many occasions we've exchanged views. Quite frankly, I've come to believe he has represented the people of York Centre to the best of his ability and with utmost integrity, and I'd like to wish him well, if we don't happen to come back to this place, in his future endeavours.

2210

Mr Daigeler: I don't quite share the view of the member for York Centre that we may not be back in the spring. That's perhaps the variety of views we have in the Liberal Party, and that's great. In fact, I think that reflects the identity and the idiosyncrasy that perhaps the member for York Centre has and myself and other members of this caucus. I happen to feel the election is going to be sometime early June and that we will come back for a throne speech and a budget sometime in April.

But be that as it may, clearly the member for York Centre—who I hope will have many more opportunities to speak in the House before he gives up his seat finally, because he has said he does not want to run in the next election. I do want to use this opportunity to indicate that clearly the member for York Centre has and has shown a deep passion for the political process. Whatever he has

done, he has done with great intelligence, with great commitment and with great honesty. I certainly have appreciated that tremendously. And he has always enlivened not just the debates in the House here but, I can tell you, the debates in our caucus, and always with a very significant and very special contribution, a special understanding of the issues.

Again, I have not always agreed with him—although on many occasions I have, but not always—and it has always made for a very lively debate. I think, as he rightfully said, this is what this House should be all about, this is what the process should be all about, and it is very unfortunate that the NDP government has put rules and regulations in place that stifle this process. I think this is why the member for York Centre is looking with some regret on the past five years. Again, my thanks to the member for York Centre.

Mr Callahan: I think this sums it all up in terms of what government's all about: "I really believe the fundamental test of any government is how it treats those who are the most vulnerable in its society and in its midst." I think the member, my colleague who spoke earlier, sums that up; that's a very true test.

Some of the members over there are shaking their head. Well, I want to tell you that was a quote from Hansard of March 2, 1989, and guess who the speaker was? The Premier of this province.

I have to say that the true test, to the people watching tonight, is whether the Premier has lived up and his government has lived up to that statement, that he believed "the fundamental test of any government is how it treats those who are most vulnerable in its society and in its midst." I wonder if you really believe, as you leave this place and go home for Christmas, whether those very eloquent words of the then Leader of the Opposition and now Premier of this province have been met.

Applause.

Mr Callahan: The Minister of Municipal Affairs is applauding himself and his government. I have to suggest to you that on this side of the House, I think for the benefit of the people of Ontario who are the most vulnerable, they would probably answer no. They would probably answer that the Premier of this province, in making that eloquent statement on March 2, 1989, when he had the ability to do it as the Leader of the Opposition, has not fulfilled that as Premier of this province, nor has your government.

The vulnerable of this province are still vulnerable, they have still not been dealt with, they are still being treated as second-class citizens. Certainly the Agenda for People that I read during the election spoke to that issue. You have not fulfilled it. You may as well call an election, because if you come back with Agenda for People II they won't believe it.

The Speaker: Further questions and/or comments? The member for York Centre has up to two minutes for his reply.

Mr Sorbara: Mr Speaker, I wanted to save these final two minutes for you, sir, in particular. In the main body of my remarks, my argument was that the government

record on the whole has been horribly inconsistent. Your record has not been like that. I've sat here for about a year and a half and sparred with you quite vigorously, and I must say, sir, that you really have turned out to be a marvellous Speaker, and I mean that sincerely, particularly given the fact that when you first assumed the Chair you were awful, you were terrible, you didn't know a thing about the job.

I remember that early on in the session someone raised a point of order, a rather inappropriate point of order, and you actually sat there and said, "I am going to let anyone who wants to speak on this point of order speak on it." The debate lasted of course most of the afternoon, as people took advantage of your rather novel approach to points of order to eat up and consume the time.

But I have been very impressed with the way in which you have handled your responsibilities in an increasingly competent and professional way over the course of the years, in a Parliament that isn't that easy to control, with a membership not that easy to control.

I know, and I'll put it on record here, that when you were invited to be the Speaker, it wasn't your first choice, but I suspect that, should you happen to be re-elected, you would aggressively ask to be returned to the Chair. Now, I don't want you to be re-elected, because underneath that silly little white thing you're wearing, there's the heart and soul of an NDPer, and of course I want all of them to be defeated.

But I just want to end my time here by congratulating you on the marvellous way in which you have conducted yourself in the Chair, sir.

The Speaker: Further debate?

Mrs Barbara Sullivan (Halton Centre): Tonight we're dealing with the question of supply, and of course the tradition of supply is that the Legislature votes money for projects and programs and that the assembly has a measure of control over the spending plans of the government of the day. Tonight we will be voting supply to ensure that orders in council, government actions alone, will not determine the availability of funding for the government agenda, and that is a proud part of our parliamentary tradition.

As I address the question of supply, I want to tell my constituents in particular that today was not a proud day, for other reasons, in the parliamentary tradition in this place. I believe and want to say quite specifically to my own constituents that the question and the interventions of the leader of the third party were degrading and reprehensible and that they served only to bring this place into disrepute. Is it any wonder that people believe that politicians are frivolous, not to be trusted, and people to whom little esteem ought to be given?

Yet to some of us, Parliament is to be a place where debate and discussion and compromise and determining the art of the possible in public policy is a way of replacing the unbridled power of the sword on the battlefield of decision-making; where major issues of the day are brought forward and the representatives of the people comment on government proposals and perhaps bring changes to those proposals. That is a noble thing,

and it follows the tradition of "The government proposes and the assembly disposes."

One of the means of disposing of issues is by granting or withholding supply, and that's what this debate is all about. But some issues haven't come before the House, and there are several issues in health care I want to include in this supply debate because I believe they are a matter of extreme public importance and should have been addressed before this House in the normal course of things and not left merely to a supply debate in the closing hours of a closing session.

One of those is the question of nurse practitioners. Our understanding is that next week, the Minister of Health will announce an entire new mechanism for the licensing and practice of nurse practitioners in the province: that nurse practitioners will be given five controlled acts; that they will be allowed to prescribe medications; that there will be, in the beginning, a little educational surround for those who are entering what in fact is a new licensed profession in health care.

2220

We believe that the issues surrounding the question of nurse practitioners should have been brought before the House. Indeed, none of the processes that have been required in the Regulated Health Professions Act were followed in this case, and we think this is a major error. There are serious issues that should have been looked at, where there should have been cross-professional consultation.

That did not take place, nor was the entire question of utilization and cost management associated with the introduction of what is a new subprofession, I suppose, brought before the House.

Another issue that has not been brought before the House is the hospital reallocation formula. For more than two years, hospitals, at the urging of the Minister of Health, have worked to bring forward a plan that would ensure that allocations would be changed from within the hospital budget, the hospital portion of the Health budget, and that those hospitals which are working efficiently and effectively would be rewarded and those hospitals which are working less effectively would see moneys removed from their budget to those places where there was a need and fewer resources.

Unfortunately, after two years of work, including the development of an appeal process in this area, the minister, at the very last moment before this policy was to be implemented, changed her mind. Hospitals are now left in a position where they don't know whether an equity formula will be put into place or whether indeed there will have to be another measure of cross-hospital cuts to ensure that those hospitals which are in greatest need of funding and who are most efficiently operating now will be able to serve the patients who come to their doors.

Last week we heard, on another topic—the Premier announced in a scrum he called that there would be a catastrophic drug program in this province. Interestingly enough, the officials in the Ministry of Health knew nothing about this program. The Minister of Health had

no details to provide to this place or to any of those affected by that new policy announcement, no details with respect to that program.

As you know, my party has been active in the support of a catastrophic drug program and a program that would move on to ensure coverage of the working poor and people who work in fields such as the retail trade and seasonal work who have no coverage at all and who are left in highly vulnerable positions.

Unfortunately, the government has no other information. The work is not done. The only detail the government has available or has announced is the start date, yet nothing is in place. There is no indication, for instance, of who will be fully covered, of what diseases or illnesses will be allowed to access this drug program, of where the private sector and its plans fit in. So much hope is being raised now and so many hopes can be dashed because of this premature announcement simply for a headline and to be in response to a measure of lobbying that was perhaps more effective than it ought to have been.

About a year ago now, my party was engaged in completing its report on proposals in cancer, and the government responded by setting up a cancer network headed by Dr Les Levine, who is and has been working very hard with a number of other people from other sectors of cancer care to develop a cancer strategy for the government. The work of that committee will end in something less than three weeks, and we have had no indication from the Minister of Health of either whether that work will continue or what resources will be available to the cancer network and what follow-up will occur later.

Bill 173 we've had enormous debate on already. Once again it's very clear that the government had not done its homework in terms of cost analysis with respect to the implementation of that bill, and as we vote supply, we may well be looking at a bottomless pit, an abyss that this government has not analysed and has not taken into full account the implications of.

The last area that I want to raise is the issue of the health cards where the government is plunging \$110 million into a health card system which will add two new pieces of information, a photograph, an expiry date, and add nothing in fact to increasing health care and providing greater health services to people in Ontario.

There is a measure of accountability required of government in bringing its public agenda forward. In my view, because the government has not addressed these questions, it has let down the people of Ontario and in fact has not been truly accountable.

I'm going to conclude my remarks now by thanking two of my colleagues whom I've had the honour of serving with in this House, the member for York Centre, Mr Sorbara, who spoke earlier, and the member for Quinte, Mr Hugh O'Neil, who will be retiring from this place at the end of this Parliament. Whether it ends now or whether it ends within a few short months, I believe the place has been enhanced by their participation and it has been a great pleasure and honour to serve here with them.

The Speaker: I thank the honourable member for Halton Centre for her contribution to the debate and invite any questions and/or comments. Further debate?

Hon Mr Laughren: I just wanted to express my appreciation for the contribution that members made in this debate. I found it most fascinating. I find, as usual, that at the end of a session, particularly when members are anticipating the possibility of an election, it does focus the mind and focus the debate and therefore it does make the debates much more interesting. I very much appreciate the contribution of all members.

The Speaker: Mr Laughren has moved third reading of Bill 204, An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 1995. Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

MUNICIPAL AND LIQUOR LICENSING
STATUTE LAW AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT DES LOIS
EN CE QUI A TRAIT À LA DÉLIVRANCE
DE PERMIS D'ALCOOL ET À LA DÉLIVRANCE
D'AUTRES PERMIS PAR LES MUNICIPALITÉS

Mr Philip moved third reading of the following bill:

Bill 198, An Act to amend the Liquor Licence Act, the Municipal Act and the Regional Municipalities Act and certain other statutes related to upper tier municipalities /
Projet de loi 198, Loi modifiant la Loi sur les permis d'alcool, la Loi sur les municipalités, la Loi sur les municipalités régionales et certaines autres lois ayant trait aux municipalités de palier supérieur.

The Speaker (Hon David Warner): Does the minister have any comments?

Hon Ed Philip (Minister of Municipal Affairs): In light of the hour, I'll say only a few words. But on behalf of my colleagues the Solicitor General and the Minister of Consumer and Commercial Relations, I rise to present third reading of Bill 198, legislation that will control after-hours clubs and other late-night businesses.

The member for Fort York particularly should be congratulated since it was on his bill that we built this broader piece of legislation that of course will apply to all municipalities across the province.

The bill received many accolades when it was introduced. We believe that this is a reflection both of the urgency of the problem and the wisdom of the community approach that it is based on.

Frank Parkhouse, the president of the Ontario Association of Chiefs of Police, said, "This package will give police the tools we need to take action against establishments which pose a threat to public safety."

In a letter to me, Bill Mickle, the president of the Association of Municipalities of Ontario, also supported the legislation, and in his letter he said, "AMO is pleased that your government has taken a comprehensive approach to this issue by providing municipalities across the province with authority to deal with these issues."

I want to thank the members of the opposition who involved themselves in the committee and in the commit-

tee hearings and the fact that they of course are supporting the bill.

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The bill, I believe, sends a strong message to the drug dealers, to the thugs, to the criminals who want to take charge in our communities. It will give the police and municipalities and community groups new tools that they need to return control to communities of the people who live in them. I urge all members to support this bill.

The Speaker: I thank the minister for his contribution to the debate and invite any questions and/or comments.

Mr Chris Stockwell (Etobicoke West): I'm not going to speak to this bill. I'll just try and sum it up in the questions or comments for two minutes.

I know our caucus supports this piece of legislation. I myself don't. I think if you fund the police properly and in fact ask them to enforce the laws that we have on our books, these kinds of problems can be dealt with the proper funding and enforcement that we have in place today.

The reason these things have taken off, in my opinion, is the cutback in policing and the costs associated with funding the police departments. It's a problem that I think is going to be far more difficult to handle than with this piece of legislation.

I don't honestly believe the minister or any member in this House thinks that this is going to cut down on the drug dealers, the thugs and the bad people out there in our society. I don't believe anyone in the private sector or public sector out there thinks this is some kind of panacea and will resolve the issues of the day with respect to violence and crime and the basic uncertainty and insecurity in the neighbourhoods that are in Metropolitan Toronto today and the area.

Having said that, I understand that some members believe this is a very small step in a long journey that could in fact help—

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): The police, the communities.

Mr Stockwell: The member says the police are in support. You know, I spent a number of years on council dealing with the police on a day-to-day basis. Sometimes, in my opinion, the police ask for things and ask councils to do things, and provincial governments, that I don't think necessarily are in the best interests of all parties concerned. The police may want it in some instances and they sometimes want more money, they sometimes want more staff, but I think we have the laws, to the member opposite, on the books today that could stop this.

We don't have enough police officers. It's not laws that are the problem today, it's the number of police officers on the street who have to deal with the crime and lawlessness in our neighbourhoods, and this piece of legislation isn't going to stop one crime from happening. The only thing that's going to stop that are on-the-beat officers and enforcing the laws that are on the books today.

Mr Charles Harnick (Willowdale): I took part in the second reading debate on this bill and at that time I said, and I still believe, having read this bill several times, that

the bill will help and it'll make a minute difference in perhaps allowing police a little easier enforcement of legal establishments that might be breaking the law.

The problem is that people are going out on Saturday nights and shooting one another in booze cans, and booze cans are, plain and simple, illegal. They exist for only one purpose, illegality, be it drug dealing, be it the consumption and dispensing of alcohol, and the fact is you can't legislate rules for something that is purely illegal. You can't do it, and no matter how hard you try, booze cans that operate in one factory plaza on one night and in a different one a week later can't be legislated against.

The only way you can deal with booze cans, which is where people are killing one another, because that's what they go there for, among other things, is to give the police the enforcement capability to find these places and to get rid of them. If you don't do that, people are still going to go to these places on Saturday night, in spite of the fact that you've legislated on top of legislation that you already have and that you already aren't enforcing, and they're going to kill one another. That's what they go there for. They take their guns and they shoot one another. That's the purpose of illegal booze cans. When you go there you get yourself all tanked up, and then you start shooting, and then you go out to do a drug deal.

The fact is you can't legislate these places. You can't try and take something that's illegal and only exists for an illegal purpose and try and create legislation. You have to give the police the powers to enforce the law that already exists and the resources to get rid of these places.

Mr Robert V. Callahan (Brampton South): The Conservative Party speaks of the problems that exist that are trying to be remedied by this bill. They would in fact exacerbate that. They'd cut dramatically the moneys available to people. I think part of the problem is it's a malaise. There are people out there who are street people, there are people who feel that there's no hope in society. They're going to go someplace at night. You can shut down the after-hours clubs, you can expand, as I think the government has said, the drinking hours. They're going to be there.

I think what we've got to do is address the entire problem we have in our society in terms of trying to get to the root cause as to why people will seek that type of entertainment that late in the night. Obviously, it's because they're lonely, they're poor, they're people who are looking for some way of giving hope to their lives. I think until we do that, all the legislation in the world from this government or any government that succeeds it is not really going to get to the root cause of the whole problem.

I feel sorry for the police officers. The police officers are the people who have to go out there at night when we're asleep and take the dangers of protecting us from that type of environment. I suggest that all the answers from the third party, with their Common Sense Revolution—and I applaud the government for bringing this legislation in terms of its solving a problem, but really, we have to get to the root cause of the problem, and the laws in terms of shutting down this, that or the other

thing are really not going to solve that.

I go back to the Premier, who was then the opposition leader. I quoted what he said very eloquently when he was in opposition. I think it's time to look at the root causes of a lot of these problems. In terms of just throwing money at silly things, we should be looking at the root causes and dealing with them.

Mr Robert W. Runciman (Leeds-Grenville): I simply want to put on the record once again that this initiative could have been undertaken a number of years ago when the Liberal government and the then parliamentary assistant to the Minister of Consumer and Commercial Relations, Mr Offer, chaired a task force and looked at liquor laws in the province. One of the areas they made recommendations in was this specific area, after-hours clubs or illegal booze cans. They made specific recommendations to the Peterson government of the day and it failed to act upon them.

The other thing I want to put on the record in respect to this is that we are supporting it as a caucus. We have some reservations, and those reservations are shared by the Ontario Restaurant Association and the Canadian Federation of Independent Business as well.

We do think there are some modest improvements here that are coming forward. What offends me about it has been some of the political rhetoric by the Minister of Municipal Affairs, who is suggesting that this is such a magnificent piece of legislation. He said, "We're going to give back the communities to the people." He said this evening what a message this sends out to drug dealers.

The reality is that this isn't going to have any impact in any meaningful way on the very serious crime problems in this province. They're going to continue. We're going to continue to have deaths in illegal booze cans. The significant problems that are underlying all of the crime in this province are not being addressed by this government and were not addressed by the previous Liberal government. Those are the issues this government continues to fail to take initiatives to deal with.

I've expressed those concerns. My colleague from Etobicoke West just mentioned one of them, the lack of adequate police manpower. Metro Toronto is 600 under strength right now. The OPP in many areas of this province simply doesn't have the manpower to adequately patrol rural communities on a 24-hour basis, significant areas with virtually no coverage in the late hours of the evening.

The Speaker: The Minister of Municipal Affairs has up to two minutes for his reply.

Hon Mr Philip: I'm fine, Mr Speaker. The bill stands on its own. The police and the community have spoken. Let's take the vote.

The Speaker: Further debate? The member for St Catharines.

Mr James J. Bradley (St Catharines): I simply want to indicate the support of the Liberal Party, the official opposition in the House, for this legislation. Several of our members stood in the House, the leader of the Liberal Party, the member for Lawrence and the member for St David-St George all stood in the House, among other

members, asking for legislation of this kind. We obviously have the support of the three parties in the Legislative Assembly for this legislation, so it's not as though we're going to have a significant divide on it.

It is not going to solve all the problems we have in terms of certain kinds of crimes that are committed, but it's a step in the right direction, and whenever we take one step, it is of some significance. I know Frank Parkhouse from St Catharines, who is the president of the Ontario Association of Chiefs of Police, and he is a person whose opinion I respect on matters of this kind. I know this initiative will not be one which will be costly to the government in terms of the financial outlay; some of the other measures that are recommended, such as adding significant numbers of police officers, would incur some significant new costs. Some members of this assembly may wish to see that happen, but we all know that would incur significant new costs in the province that all of us would want to justify one way or another.

2240

We've had a good committee, I think, on this. We had some hearings that were permitted on that day. We've had members of the committee from all parties making a contribution. Some expressed some concerns about the legislation, but we in the official opposition will be supporting it on the consensus basis that seems to be developing over some of these issues in this House.

The Speaker: I thank the honourable member for St Catharines for his contribution to the debate and invite any questions and/or comments.

Mr Callahan: I have to go back to the very issue that I spoke on before: How did we get here? How did good, old Ontari-ari-ario and Toronto and other areas, how did we possibly get to the stage where we require this type of legislation? We have allowed the consideration of our young people to get to the point where after-hours clubs are their entertainment. I mean, maybe you should be looking at the root causes of this.

I agree with all the members of my caucus. We'll support this because this is an effort to try to put a curb on this, but it's a Band-Aid approach and it's something that has a root cause that we as legislators have to determine. Why have we allowed it to happen? Ontario was not like this before. In fact, if anything, Ontario was Victorian Ontario and suddenly it's become the Times Square of Ontario. I mean, Torontonians and Ontarians didn't see this kind of nonsense before. We have allowed it to happen. We've sat back on our hands as legislators and we've allowed it to happen, and now we're suddenly trying to put our finger in the dike to stop it.

As I said before, my colleagues and I will support it because it has to be supported, because we are now in a crisis situation. But I have to say that this government has not done much. Certainly it has to be looked at in terms of the root causes of why this problem exists and trying to put our finger on it so we can stop having to react this way in terms of bringing legislation forward to put the finger in the dike.

Let's try building the dike. Let's try understanding why we have these problems and deal with them in a

rational fashion, rather than trying to deal with them in this piecemeal way.

But we are supporting it because it needs support from the community, it needs support from the police, it needs support for our young people who are probably out there in those dangerous situations.

Mr Alvin Curling (Scarborough North): I go further and say that I have to commend the government for moving on this issue. It is something that is a very, very difficult issue to deal with. They had to do something and it was done. Of course, the police will need all the resources they can. At least, they need legislation. They need more. They speak about house parties that they have no right to go into, and sometimes booze is being sold at these house parties, which creates a lot of problems thereafter.

I want to say that there are not many times I agree with the government. I think they have moved on this one. It's important. People are concerned about it. It's a very difficult thing to do. I have strong support for this kind of legislation.

Mr Ron Eddy (Brant-Haldimand): Just briefly, I want to stand in my place and offer my support to the bill too. I don't think there's a claim that's it's going to solve all the problems with after-hours clubs and booze cans, but it is providing tools to municipalities and police forces that have been asking for them for some time. It will indeed help control late-night businesses and will give power to police forces and municipalities to shut such facilities down or limit the hours they can stay open. It's providing tools to the police and municipalities and therefore is very important and certainly is requested and supported by the citizens of this province, who believe very strongly in law and order.

The Speaker: Further questions and/or comments? The honourable member for St Catharines has up to two minutes for his reply. Further debate? Seeing none, the Minister of Municipal Affairs has the opportunity to conclude the debate.

Mr Philip moves third reading of Bill 198.

Is it the pleasure of the House that the motion carry?

All those in favour of the bill will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

Resolved that the bill do now pass and be entitled as in the motion.

VICTIMS' RIGHT TO
PROCEEDS OF CRIME ACT, 1994

LOI DE 1994 SUR LE DROIT DES VICTIMES
AUX GAINS RÉALISÉS
À LA SUITE D'UN ACTE CRIMINEL

Mr Jackson moved second reading of the following bill:

Bill 210, An Act to provide for the payment of money awarded in civil law suits to victims of crime / Projet de loi 210, Loi prévoyant le versement aux victimes d'actes criminels des sommes adjugées dans les poursuites civiles.

Mr Cameron Jackson (Burlington South): I'll reserve my comments until the later part of the rotation.

The Speaker (Hon David Warner): Debate?

Hon Marion Boyd (Attorney General and Minister Responsible for Women's Issues): For too long, victims have felt marginalized in our justice system. This government supports this bill today standing in the name of the member for Burlington South because it will assist Ontario in its goal of making the system more sensitive and acceptable to victims, while improving the service and the assistance they receive.

Our party is particularly pleased to support this measure, based as it is on work done many years ago by our late colleague Jim Renwick. Jim had a similar bill before this House for a number of sessions, and when he was no longer here to speak on behalf of victims himself, our colleague Bud Wildman took up the torch by reintroducing a similar measure.

Our party and our government have always maintained that the victims of crime must be treated with fairness and sensitivity within the justice system. Ontario has initiated, over the last three governments, a number of very excellent programs geared to help victims of crime, and the bill introduced today builds on that progress.

All of us in this House should feel proud to participate in the speedy passage of the private member's bill. The government would have liked to see earlier movement on this bill, but we had policy reservations and we needed to ensure that the honourable member's design of his bill was as sound as possible, as effective as possible, before proceeding.

The bill presented today is the result of a lot of very hard work by a large number of people who, in conjunction with the presenter of this bill, worked to ensure it became a reality. In particular, I want to recognize the work of legislative counsel, the Ministry of the Attorney General staff, and the staff of the House leaders' offices. They worked hard to ensure that we came to this point.

As a result of this hard work, and with the goodwill of all members in this House, we have before us a bill that will allow the victims of crime to recover the money awarded to them in lawsuits against the accused or convicted persons. The purpose of the bill is to ensure that any money that the accused or convicted person receives as a result of his or her crime is first used to satisfy awards to the victims of the crimes committed.

We can and must do everything we can as a Legislature to restore the trust of victims in our justice system. This is one step we can take together tonight, and I urge members to support the bill brought forward by the member for Burlington South.

The Speaker: I thank the honourable Attorney General for her contribution to the debate and invite any questions and/or comments.

2250

Mr Robert V. Callahan (Brampton South): I agree with the Attorney General that this is a very broad step forward. You see in the United States where, just with the O.J. Simpson trial, I'm sure that with the large contingent of lawyers he's got, they're not acting for free.

They're obviously looking forward to payment from the proceeds of whatever comes out of that. I think that's outrageous, that victims of crime have to stand by and see moneys being paid out by various organizations which are really trading on the grief of other people. If anybody is to achieve beneficial results from that in any way which will go a short way towards trying to relieve their anxiety from losing a loved one, it should be the people who are left behind. I concur with the Attorney General that this is the place where the money should go.

Having said that, I have to say that I've looked at the original bill, where the money would have gone to the Criminal Injuries Compensation Board. I couldn't concur with that because, as we know, the Mahaffy family received, I think, \$25,000. That's hardly adequate to cover even their transportation expenses to Ottawa or wherever the trial is moved. I would prefer to see that this money would be specifically earmarked—and I understand it's now payable to the public trustee—to look after all of the needs of the people who are left behind from tragic events that take place, particularly in a violent criminal crime where a person is not just a subject of something that's accidental but it's a deliberate murder.

In fact, if that's the nature of the bill, I can find nothing wrong with supporting it, because for too long we've allowed that money to hang out there to be absorbed by people who were just nothing more than pariahs on the fringes of the tragedies of other people. I think the bill is worthwhile.

The Speaker: Further questions and/or comments? The Attorney General has up to two minutes for her reply. Is there further debate?

Mr James J. Bradley (St Catharines): I want to indicate my strong personal support and the support of the Liberal Party for this bill which has been initiated by the member for Burlington South and has been assisted by the Ministry of the Attorney General.

I had a chance to speak on October 21, 1993, in a debate which dealt with this subject, again initiated by a private member's bill of the member for Burlington South, and on that occasion indicated how repelled and repulsed we all are by those who would think of making money from a crime. There are people who really want to go out and sell books, who want to make television shows, who want to sell souvenirs, odd as it may sound and morbid as it may sound, based on the crimes that they have committed themselves or to which they have been an accomplice. I can't think of anything that society would find more repulsive than those who would try to do this.

Mr Jackson, the member for Burlington South, and I have both had experience with the families of two victims of recent crimes which are now before the courts: the murder of Leslie Mahaffy and the murder of Kristen French. I think Mr Jackson, the member for Burlington South, has had some discussion with both of these families, but in particular, his constituents, or the people who reside in Burlington, the Mahaffys, and I have on many occasions had conversations with Doug and Donna French about the trials and tribulations they have gone through.

This has been a crime which has received a lot of international attention. Certainly, if I focus on my own community, it has received very considerable attention. You know, we can talk about issues in this House that we believe are very significant, and they are significant; we can talk about international and national and province-wide problems. But if you talk to the people of St Catharines, there's one issue that is always foremost in their minds, and that is the issue of dealing with crimes that are as horrendous as that which was committed against an innocent girl, Kristen French, who was on her way home from school, the safest of situations, going through a churchyard, going through to her own neighbourhood on the way home from school in the middle of the afternoon, and was kidnapped and subsequently murdered. As I say, that case is now before the courts, so I'm not in a position to make further comment about the court case itself.

But there have been issues that have been raised in this House. The leader of the Liberal Party, Lyn McLeod, and Dianne Poole, the member for Eglinton, are two people I think of among others in the House who have raised issues—the member for Mississauga South is another person, and the member for Burlington South—such as the killer cards where, again, people are trying to make money from a crime, trying to exploit a crime that has taken place, and others have utilized these circumstances to further themselves either in terms of their own fame, if there is such a thing, or certainly their fortune.

The last time a bill of this kind was before the House, the Frenchs and the Mahaffys were in the gallery to my left. I didn't feel good, as I'm sure the member for Burlington didn't, about having to even deal with this issue; you wish you didn't have to deal with an issue of this kind. But I'm afraid it is a reality, particularly as we get into a different era in the 1990s, particularly, as I say, when we go on in the 1990s, 1994 now, and we have to address this head-on. It's an issue that has to be dealt with. I want to commend the department of the Attorney General for being so cooperative in the last couple of days to work literally day and night to come up with a formula which would fit with the concept that had been presented by the member for Burlington South.

Again you see an example in this House in the latter days of a session, when we're just before an election—and it's a very partisan time—of the parties being able to work together, and individuals within those parties, and members of a department of the government being able to work towards one goal of solving a problem.

There were some initial concerns about the original bill brought forward by the member for Burlington South. He's not an inflexible person. He's looking for a final result which is going to solve a problem and therefore was prepared to work with the department of the Attorney General to find a formula that would work. The formula which has been found is one which is practical. Using the office of the public trustee is a practical way of dealing with this legislation.

All of us wanted to ensure that it's legislation that has a very limited chance of being successfully challenged in court, and we often think that the department of the

Attorney General in any jurisdiction moves slowly and tends to be a stick-in-the-mud sometimes, but it is always looking to ensure that the legislation that is passed is legislation that will work. The member for Burlington South has worked hard with the department of the Attorney General to solve that particular problem.

I was pleased as well, if I may take the opportunity to say so today, during the discussion of this bill, that the St Catharines Standard today had a headline which says, "French, Mahaffy Families Each Granted \$25,000 Compensation"—this from the provincial Criminal Injuries Compensation Board, which I believe is the maximum amount. I was pleased to see, having raised the issue with the Treasurer and with the Attorney General and receiving a favourable and open response on both occasions, that there has been compensation in one direction, and I know the Attorney General is looking at other avenues to try to deal with problems as a trial site is found. I think again that's positive.

So we have a consensus here. We have a member who has taken the initiative, a government which has responded, an opposition party which is supportive, a team working together to solve a problem, and of course the beneficiaries will be the victims of crime and the families of the victims of crime, and those who will be most detrimentally affected by this are those who should be most detrimentally affected, and that is those who would wish to make money in a very sinister, cynical and despicable way, those who would wish to make money from participating in a crime and then selling their stories or selling souvenirs of this particular unfortunate event.

I am pleased to indicate the support of our party and I'm pleased to give the consent and support of our party for all three readings of this bill to pass this evening in this House.

The Speaker: I thank the honourable member for St Catharines for his contribution to the debate and invite any questions and/or comments.

Mr Charles Harnick (Willowdale): On behalf of the people of Willowdale, I would like to thank the member for Burlington South for having the courage and the conviction to pursue victims' rights in this Legislature to a degree greater than anyone else in this place. It's been a very, very difficult fight for him. He still fights for a victims' bill of rights and certainly this in large measure is a step in the right direction, a Victims' Right to Proceeds of Crime Act, to make sure that those who are perpetrators of crime can't benefit by the crimes that they commit.

2300

In this day of law and order and seeking safe communities, we all too often forget about the victims of crime, those who have to show up in an unfamiliar courtroom, in an unfamiliar setting and be cross-examined and whose credibility has to be tested. It's a very difficult process for a victim of a crime to go through and it's a very difficult process for a victim who has to live with the effects of a crime that's been perpetrated, so when you see the perpetrator of the crime benefiting, that makes it all the more difficult to take.

I congratulate the member for Burlington South for putting an end to something that should not happen. I also congratulate the Ministry of the Attorney General which, in the last day or so, has become involved in facilitating the passage of this bill today. As the member for St Catharines indicated, everyone appears to be working together. Everybody appears to be taking a step in the right direction to ensure that this piece of legislation is going to work. Over time it will be streamlined and I think will make a great contribution to victims in the province of Ontario. Again, thank you to the member for Burlington South.

Mr Callahan: I'm sure after what I say I'm going to be accused of raining on the parade. I would point out a couple of things, if I might, to the Attorney General. One of them is that you speak of a convicted person or an accused. There are in fact accused people who are eventually acquitted and are not guilty—not just found not guilty, but not guilty—who may be victims themselves.

So I have concerns about using the words "accused or convicted"; I would prefer to have seen "convicted." I simply say that, Madam Attorney, because I think it's a good bill and it should be one that we can protect as it goes through the courts, because it might very well be taken through the courts.

The second comment I would make is the fact that it talks about, "Each party to a written contract shall give a copy of it to the public trustee," and if you don't, then it's an offence. I would prefer to have seen, if I might, that no contract would be valid unless it had been approved by the public trustee. That way, you would require the people who wanted to collect the money to have had the public trustee's say-so and approval. By saying that you have to deposit a copy with the public trustee—we know for sure that crimes such as the Bernardo crime will go through the United States and there may be difficulties in terms of recovering those moneys. If in fact the contract was invalid unless it was approved by the public trustee, you would have something, a genesis, to require that it be paid.

I do support the bill, as do my colleagues in my caucus. I hope I haven't rained on the parade of everybody, but I did feel that I had to point those out as legitimate concerns. But I do approve of the situation, that moneys of people who have been convicted of crimes should not be used or allocated to them or their families; they should be allocated to the people who are the victims.

Mr Robert W. Runciman (Leeds-Grenville): I want to say that this is a proud moment for the Ontario Conservative Party, to have one of our members as the sponsor for Canada's first proceeds of crime bill for victims. I also want to compliment the official opposition, the Liberal Party, the government and especially the Premier. I understand his personal intervention resulted in this bill being brought forward today, and the support of all three parties has made it possible for the bill to be completed this evening.

I want to also take this opportunity to make reference to the member for Burlington South, Mr Jackson, and the

outstanding record he has in terms of commitment to improving the lot of victims of crime. Here are just some of the bills that Mr Jackson has tabled in this House:

An Act to establish the Rights of Victims of Crime: Mr Jackson has brought this bill forward on numerous occasions, in 1989, 1990, 1992 and 1993.

He also tabled a bill in the Legislature in July, An Act to establish Victims' Memorial Day, which would establish an annual day of commemoration of victims of violent crime in Ontario.

He also tabled An Act to amend the Coroners Act, which would require an automatic inquest when a person dies by a violent criminal act while out on parole or temporary release.

The member for Burlington South, Mr Jackson, is also the chairman of the victims' rights subcommittee for CAVEAT and the safety network. He's the only elected official to serve on this group, and I simply want to say how proud we are of him in his efforts on behalf of victims of crime and his many efforts to try and bring some balance back to the justice system on behalf of those people who suffer crime in this country.

The Speaker: Further questions or comments? The honourable member for St Catharines has up to two minutes for his reply.

Mr Bradley: I simply want to say, within the few moments that I have, that I'm pleased to hear this consensus again, developing the reinforcement of that by members of various parties tonight, including the Attorney General, and the members of the Conservative and Liberal parties have indicated their support.

It's difficult to have a bill that's going to be absolutely perfect, that's going to satisfy everybody, but this is a very good effort to do so. I think this bill will go a long way to dealing with one aspect of the problem that is confronted by the victims of crime.

It's not often that you see a piece of legislation go through the House in one day. It's not often that you see the Attorney General's office able to move as quickly as it has to be helpful, and the member himself, as I say, taking the time out through yesterday and today to try to find a consensus that would be acceptable to all members of this House. I'm pleased to be able to support that, as are my colleagues in the Liberal Party.

The Speaker: Further debate? The honourable member for Algoma.

Hon Bud Wildman (Minister of Environment and Energy and Minister Responsible for Native Affairs): Very briefly, I want to congratulate the member for Burlington South and all members of the House for the support they have provided to this piece of legislation. The member for Burlington South will know that my colleague Jim Renwick, the member for Riverdale, pioneered this type of legislation in this House, and I was proud to continue that commitment after his untimely death and to bring similar legislation before the House. I'm very pleased that the cooperation of the Premier and all members of the House has made it possible for us to move forward with this legislation this evening.

The Speaker: Are there questions and/or comments?

Is there further debate? The honourable member for Burlington South.

Mr Jackson: As has been said, this is probably a very emotional evening for me, given the circumstances of the last 48 hours around victims' rights-through-proceeds-of-crime legislation. As has been stated, this is the first legislation of its kind in Canada. I do want to indicate that although I tabled this bill or a form of this bill almost exactly five years ago tonight, in December 1989, I was very much moved and guided by the initial work of Mr Renwick and, by extension, Mr Wildman. Much of their work was reflected in the bill that I have had tabled in this house for those five years.

I wanted to indicate to the Premier that this Wednesday, simultaneously in every province in this country, CAVEAT and the safety net organization with which I am involved will be undertaking press conferences, and one of the 27 recommendations which our victims' rights panel included was that every province implement a proceeds of crime act so that there is this consistency for all Canadian victims and their protection.

I cannot tell you how very pleased I am that the Premier has assisted in allowing Ontario to be the very first province in Canada to take this initiative and to show that leadership. That has not always been the case for justice reform coming from Ontario, but I consider that a significant turning point for this House and for all members and I appreciate that.

It has been said that much good can come from a Parliament when it is approached with cooperation and not confrontation. I think it is difficult for us to achieve reform in our justice system because our justice system, by its very nature, is confrontational and adversarial, and therefore all the opinions we ever get in justice are based on this adversarial model. I think that has hurt justice reform in every Parliament in Canada, and yet we have seen tonight, in the last 24 hours, through the assistance of so many, that we've been able to achieve so much through cooperation as parliamentarians.

2310

To summarize, I want to at the outset thank the Premier, because it was his individual intervention yesterday at about 10:30 in the morning after receiving calls from Debbie Mahaffy and Donna French and a faxed letter from Priscilla de Villiers that the Premier actually, I'm led to believe, left cabinet to specifically undertake an analysis and a decision that his government wanted to support this at this time. I wanted to thank the Premier for that.

Forty-eight hours ago a very unfortunate circumstance occurred where this bill was going to be delayed, for want of another word, for a good eight or nine months. So, quite frankly, as Debbie Mahaffy said, "Cam, Christmas is the most difficult time for us as families because we're reminded so deeply of our losses." I want to tell the Premier that his actions have in fact turned the last 48 hours of this bill into a script from a Frank Capra movie, truly.

So I want to thank the Liberal Party, Mr Bradley, the member for St Catharines, who spoke most eloquently on

October 21, 1993, when this bill, in its first draft, was before this House in private members' time. I want to thank his caucus who supported him. I want to thank my leader, Mike Harris, who has consistently supported me in my concerns and my advocacy for victims and victims' rights in Ontario.

I must mention an employee of this building, Laura Hopkins, a legislative counsel. This person finished the draft of the bill at 2:30 this morning. At 7:30 it was on my fax machine, and at 7 am French-language translation began. The deputy minister of the Attorney General was involved, the chief crown law office, the chief director was involved for three hours last night working diligently. This is quite a remarkable story and a wonderful story about how everybody came together without any prejudices or without any differences towards our task. Finally, I want to thank my staff, Alex Roman and Bethany Carey, for their support with victims' issues.

The most important people are the families themselves and their courage to come to Queen's Park and to further risk their open pain in a public, political forum. Members will recall that Debbie Mahaffy was present with us in the Legislature on October 21, 1993, when she said that "To profit from crime, the murder/violation of another human being, is quite a repulsive reality in Canada." And she pleaded with members of the House not to allow profiting from crime to go on in such a fashion. Present in the House that day were also Doug and Donna French, who in a letter that was given to every member of the House—and every member of the House supported the bill that day—wrote to us: "The fact that people want to profit from someone else's tragedy is disgusting. But the fact that the criminals themselves can profit from crime is an outrage. It exploits victims and their families and in fact promotes crime."

These families, in large numbers, are watching tonight because they can't quite believe that this important turning point in victims' rights will be achieved in Ontario and in our country for the first time. Society becomes the spectator of their private grief, and it falls upon us as legislators to do something for them. Today we have done this. It is an important first step, but let it be said that we took that step together as a Parliament, that we took that step on behalf of the victims who no longer have a voice, and we took that step on behalf of the families who will continue to bear their grief forever.

The Speaker: Mr Jackson moves second reading of Bill 210. Is it the pleasure of the House that the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

Mr Jackson moved third reading of the following bill:

Bill 210, An Act to provide for the payment of money awarded in civil law suits to victims of crime / *Projet de loi 210, Loi prévoyant le versement aux victimes d'actes criminels des sommes adjugées dans les poursuites civiles.*

The Speaker: Does the member have any opening comments? Debate?

Mr Jackson: Thank you, and all the members of the House, Mr Speaker.

The Speaker: Mr Jackson has moved third reading of Bill 210. Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

House in committee of the whole.

MUNICIPAL ELECTIONS AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI
SUR LES ÉLECTIONS MUNICIPALES

Consideration of Bill 191, An Act to amend the Municipal Elections Act / Projet de loi 191, Loi modifiant la Loi sur les élections municipales.

The First Deputy Chair (Ms Margaret H. Harrington): Are there any amendments and, if so, to which section?

Mr Pat Hayes (Essex-Kent): Madam Chair, I do have an amendment. I move that section 2 of the bill be struck out—yes, I do have an amendment.

The First Deputy Chair: In section 1, are there any questions or comments?

Shall section 1 carry? Carried.

Are there any amendments to section 2?

Mr Hayes: I move that section 2 of the bill be struck out and the following substituted:

“Commencement

“2. This act comes into force on a day to be named by proclamation of the Lieutenant Governor.”

The First Deputy Chair: Are there any questions or comments to Mr Hayes's amendment to section 2? Mr Hayes, would you like to make some comments?

Mr Hayes: We welcome this piece of legislation but we do have some concerns, and this amendment is important because we feel that we have to speak to the municipal associations, elected and non-elected, and I'm sure the Conservatives would certainly want this government to consult.

The First Deputy Chair: Any other questions or comments with regard to this amendment? The member for Brant-Haldimand.

Mr Ron Eddy (Brant-Haldimand): I appreciate the explanation of the amendment and I think it's very important because it is my understanding that the municipal association and indeed the Association of Municipal Clerks and Treasurers of Ontario—and the clerks, of course, are the local officials responsible for operating municipal elections—have not been consulted, and it's important to do so.

We recognize that there are advance polls, that two advance polls must be held and that there is voting now by proxy, which helps the situation at the present time very considerably. It's also noted that a higher and higher percentage of municipal voters is voting at each election in the advance polls rather than on the day of voting. So I think it's very important, as the parliamentary assistant has stated, that we do consult and have some dialogue with those associations.

2320

The First Deputy Chair: Thank you. Are there any

other questions or comments to Mr Hayes's amendment?

Seeing none, is it the pleasure of the House that this amendment carry? Carried.

Shall section 2, as amended, carry? Carried.

Shall section 3 carry? Carried.

Shall the title carry? Carried.

Shall the bill, as amended, carry? Carried.

Shall I report the bill, as amended, to the House? Agreed.

ENDANGERED, THREATENED AND
VULNERABLE SPECIES ACT, 1994

LOI DE 1994 SUR LES ESPÈCES VULNÉRABLES,
MENACÉES OU EN VOIE DE DISPARITION

Consideration of Bill 174, An Act to revise the Endangered Species Act and to protect Threatened and Vulnerable Species / Projet de loi 174, Loi révisant la Loi sur les espèces en voie de disparition et visant à protéger les espèces vulnérables et les espèces menacées.

Mr Jim Wiseman (Durham West): I'd like to begin by thanking the House leader for bringing this bill back. I think it's an indication of the extent to which this bill is supported on this side of the House.

Talking about support, I'd also like to read to the members some other support. This letter was written on December 2, 1994. It's to the executive director of the Federation of Ontario Naturalists, Mr John Lounds. I quote:

“Thank you for your recent letter concerning Bill 174, An Act to revise the Endangered Species Act.

“It is expected that this act will receive third and final reading on Thursday, December 8, the last day before the House rises for the Christmas break. The bill is being supported by all three parties.

“Yours sincerely,

“Robert W. Runciman, MPP

“Leeds-Grenville.”

Madam Chair, I'd like to suggest that perhaps we take Mr Runciman's advice and move this bill speedily through the House.

The First Deputy Chair (Mrs Margaret H. Harrington): Commenting on Mr Wiseman's bill, and sections 1 and 2 specifically, which include the purpose of the bill, are there any other comments to sections 1 and 2?

Mr Robert W. Runciman (Leeds-Grenville): Madam Chair, I think it's appropriate that I respond. Mr Wiseman was reading a letter that I sent to, I guess it was, the naturalists' organization. I'm quite offended by the fact that the naturalists released a letter to a politician that I thought was a personal letter to an organization. But in any event, we all make mistakes, and I made a mistake.

The First Deputy Chair: Are there any other questions or comments to sections 1 and 2 of this bill?

Mr Chris Hodgson (Victoria-Haliburton): It gives me great pleasure to rise again tonight to address committee of the whole on the private member's bill from the member for Durham West.

As was stated yesterday, everyone's in favour of the title of this bill. Where people have concerns, not just on

this side of the House but from the government side as well, is, what will be the impact of this bill? That's why we have a parliamentary system with committee hearings, so people come in and inform members of both sides of the House in a non-partisan fashion about the ramifications of this bill.

We heard yesterday from a government member from the riding of Huron who expressed concerns about this. We haven't heard what the Minister of Agriculture, Food and Rural Affairs has to say about this bill. We haven't heard what the Minister of Natural Resources has to say about this bill.

In fact, what comes about with this bill is almost to the point of a cynical manipulation of a government member's supporters in trying to persuade them that somehow, by not having full public hearings on this bill, we're trying to block it and that he is the only one who represents a concern for endangered or threatened species in this province.

I want to quote from the member's statements yesterday where he referred to the fact that he has faxes from the World Wildlife Fund to Mr Hodgson, Mr McLean and Mr Jordan. They say, "We understand that you intend to oppose this bill and possibly filibuster it at the legislative committee reading...." I suggest to the member that if he hadn't been so busy playing politics, he could've gotten faxes from the Ontario Federation of Agriculture or from the anglers and hunters or from people in this province who have concerns about endangered species.

Everyone is concerned about the future of our wildlife and the species. What's offensive is that a member would try to play politics, even in this place, on a night like tonight, to try to mislead people to think that, by us having legitimate concerns—and I have two pages of concerns that we raised yesterday in this House.

Mr Wiseman: On a point of order, Madam Speaker: That is unparliamentary. The member said I was misleading the House: I think that's unparliamentary.

The First Deputy Chair: I didn't hear the comment, but if the member who was speaking—the other member has found this offensive—I'm wondering if you would wish to withdraw your comment.

Mr Hodgson: No, Madam Speaker. I find it offensive that he would insinuate that only three members of this House had objections to this bill and tried to filibuster it, when everyone knows that you can't filibuster when the government sets the Legislative Assembly's agenda.

Mr Gregory S. Sorbara (York Centre): On a point of order, Madam Speaker: The hour is late, but I heard my friend from Durham West accuse my friend from Victoria-Haliburton of misleading the House. There's no debate about that. That's unparliamentary and your responsibility as Chair is to ask my friend from Durham West to withdraw the comment.

The First Deputy Chair: I did not hear the original comment. I asked the member if he wished to withdraw. We would like to continue. Member for Victoria-Haliburton, are you finished your remarks?

Mr Hodgson: No, I'm not, Madam Chair. I would just in summation—if we continue this debate, I do have

over two pages of concerns that I've expressed. I look forward to hearing from the Minister of Agriculture on what he feels in fact this will be, the Minister of Natural Resources and from other members, maybe again, from the member for Huron as well. For now, I conclude my remarks.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): I move that the committee rise and report one bill with amendment and progress on another and beg leave to sit again.

Mr Robert V. Callahan (Brampton South): Madam Chair—

The First Deputy Chair: Is this a point of order?

Mr Callahan: I want to find out if this bill protects the government. You're an endangered species.

The First Deputy Chair: There is not a point of order. Could you please take your seat.

The Speaker (Hon David Warner): The committee of the whole House begs to report progress on one bill and to report one bill with a certain amendment and asks leave to sit again. Shall the report be received and adopted? Agreed.

2330

HIGHWAY TRAFFIC AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LE CODE DE LA ROUTE

Mr Hansen moved third reading of the following bill:

Bill 179, An Act to amend the Highway Traffic Act /
Projet de loi 179, Loi modifiant le Code de la route.

Mr Ron Hansen (Lincoln): I have to thank my colleagues across the floor, the member for Nepean and the member for York Mills, for speaking on this bill last night, and David Bradley, the president of the Ontario Trucking Association, who had come to me to have a private member's bill be accepted here in the House.

I can tell you, local aggregate and transportation companies, just small ones, ones that have only one truck, want this bill passed, so we're not looking at large transport companies. We're taking a look at people who only have one truck out there in the aggregate business.

I hope this House will pass this bill.

Mr David Turnbull (York Mills): I'm delighted to see third reading of this bill, a bill which in fact should've been brought by the government some three years ago, but I'm delighted to support my colleague the member for Lincoln in bringing forward this bill. It is long overdue.

The Speaker (Hon David Warner): Questions and/or comments? Further debate.

Mr Hans Daigeler (Nepean): As the member for Lincoln said, I spoke to this bill yesterday briefly. I do wish to indicate my support as well on behalf of my party. I think this is a measure that has been long sought after by the Ontario Trucking Association, and as the member said, not just by the big companies but by the smaller guys as well. I think this measure is going to be helpful to quite a few people across the province.

With these comments, I wish to indicate our support.

Mrs Margaret Marland (Mississauga South): I just want to stand and also record my support for Bill 179. We are all very enthusiastic about the passage of this bill, and in particular I wanted to record my personal support.

Mr James J. Bradley (St Catharines): We in the Niagara Peninsula stick together, and I did want to indicate very briefly my support for the member's initiative. We are a group who work together, regardless of our political affiliations, and I think that this bill will help the province tremendously. I'm glad that the member has finally strong-armed his colleagues into approving this, at long last.

The Speaker: Questions and/or comments? Further debate? Seeing none, the honourable member for Lincoln may conclude the debate.

Mr Hansen: I'd like to thank the members who participated in the debate, and I can tell you that many of the people that I represent and not only—

The Speaker: No. It's a private member's bill.

Mr D. James Henderson (Etobicoke-Humber): Out of order?

The Speaker: Yes. Very interesting, but out of order. If the member would kindly take his seat, with my apologies.

Mr Hansen has moved third reading of Bill 179, An Act to amend the Highway Traffic Act. Is it the pleasure of the House that the motion carry?

All in favour, please say "aye."

Opposed will please say "nay."

In my opinion, the ayes have it. The motion is carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

HIGHWAY TRAFFIC AMENDMENT ACT (FIREFIGHTERS), 1994

LOI DE 1994 MODIFIANT LE CODE DE LA ROUTE (POMPIERS)

Mr Arnott moved third reading of the following bill:

Bill 192, An Act to amend the Highway Traffic Act respecting Firefighters / Projet de loi 192, Loi modifiant le Code de la route en ce qui a trait aux pompiers.

The Speaker (Hon David Warner): Does the member have any opening comments?

Mr Ted Arnott (Wellington): I just wish to thank all my colleagues for their support on this issue. I think it's an important issue. We debated this bill on second reading last night rather extensively. In the interest of expediency at this late hour, 11:35, I just want to wish all members of the House a Merry Christmas.

Mr Hans Daigeler (Nepean): I just would indicate that perhaps we should have more transportation bills in this House and there would be more unanimity and more quick passing of bills, because this is one that we will be supporting as well.

The Speaker: Further questions or comments?

Mr Gregory S. Sorbara (York Centre): Mr Speaker, I hate to expose my own ignorance so blatantly, but this bill was debated last night and I wasn't here last night. It's referred to as a flashing-green-lights bill. Perhaps in

his response, he could just remind me of how this bill is going to benefit the people of Ontario.

The Speaker: Further questions or comments? The honourable member for Wellington has up to two minutes for his reply.

Mr Arnott: Just very briefly, the bill will allow volunteer firefighters to use a flashing green light on—

Interjection.

Mr Arnott: —listen, Greg—on their vehicles while they're going to an emergency in their personal car.

The Speaker: Further debate?

Mr Norman W. Sterling (Carleton): I just want to be very brief in terms of—

Mr Chris Stockwell (Etobicoke West): You mean short.

Mr Sean G. Conway (Renfrew North): Green lights are always your favourite.

Mr Sterling: Green lights are always my favourite, yes.

I just want to say that, representing a number of municipalities which have volunteer firefighters in their area, this is a small recognition of the work they do; and, hopefully, my colleague Ted Arnott has put forward a bill which will lead to greater safety on their way to the fire station and to the fire which they often go to. So I think it's important that we recognize this as a recognition of their tremendous service that they have given to our communities. This is not to be taken lightly, as some members of this Legislature seem to do.

The Speaker: Questions and/or comments? Is there further debate?

Mr Arnott has moved third reading of Bill 192, An Act to amend the Highway Traffic Act respecting Firefighters. Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

LOAN BROKERS ACT, 1994

LOI DE 1994 SUR LES COURTIER EN PRÊTS

Mr Bradley, on behalf of Mr Phillips, moved third reading of the following bill:

Bill 152, An Act to prohibit certain types of payments to Loan Brokers / Projet de loi 152, Loi interdisant aux courtiers en prêts d'exiger certains types de paiements.

The Speaker (Hon David Warner): Does the member have any opening comments?

Mr James J. Bradley (St Catharines): This is a bill, for members who may have forgotten, that Linda Leatherdale, the money editor of the Toronto Sun, has written about rather considerably. It is an excellent bill. There was a problem out there that existed in terms of people who are exploiting others, the word that we would call—

Hon Floyd Laughren (Deputy Premier and Minister of Finance): What a team: Jim Bradley and Linda Leatherdale.

Mr Bradley: I don't know why the Treasurer is so

exercised. What is bothering you? Tell me what's bothering you.

Hon Mr Laughren: I would like to see that team together: Linda Leatherdale and Jim Bradley.

Mr Bradley: I see. Okay. Anyway, I don't know what's bothering the Treasurer. It's getting late. Something is obviously bothering him with Linda Leatherdale. I don't know what it is.

I simply mentioned it because she has on many occasions indicated her support for this particular piece of legislation. Again, it is one that the government has been helpful in. I was about to commend the department of the treasury for helping out with some amendments that have been made to this bill.

Hon Marilyn Churley (Minister of Consumer and Commercial Relations): It was my ministry that did that. That was my ministry, excuse me.

Mr Bradley: Oh, I'm sorry. The Ministry of Consumer and Commercial Relations helped out by providing some amendments to this piece of legislation.

This legislation is designed to stop a form of loan-sharking. It was a circumstance where people in a certain business were prepared to ask for money up front—\$500, for instance, they might ask up front—from an individual in order to try to secure a loan for the person. The problem was that they were asking for the money up front and there was no guarantee that indeed that loan would be forthcoming, so a lot of people were left out in the cold as a result of this.

I want to thank my friend the member for Scarborough-Agincourt, the Minister of Consumer and Commercial Relations and her ministry for assisting in amending the bill so it was acceptable to the government. I know it's going to get the full and enthusiastic support of all members of this House.

2340

The Speaker: Questions and/or comments? Is there further debate?

Mr David Tilson (Dufferin-Peel): I would like to speak with respect to this bill. I'd like to congratulate the member for Scarborough-Agincourt, who in turn of course is thanking the journalist from the Toronto Sun, Linda Leatherdale, for bringing this bill forward.

This is a very important bill because certainly there have been a number of people in the past, people buying homes for the first time, young people, people who have been inexperienced in the financial world, and they don't know enough, quite frankly, as to who to deal with. So they go to a loan broker, who says, "Sure, I'll get you a loan," only in the fine print it says that you've got to pay this upfront fee.

The difficulty is that once this piece of paper is signed and the upfront fee is paid, the loan broker then says, "Well, you're going to have to get a guarantee" or, "You're going to have to get a survey," and of course these people don't know anything about this, which costs all kinds more money. So, for whatever reason, the deal falls through.

A constituent contacted my office, a constituent from

Shelburne, who simply wanted to get a loan of \$2,000. He was charged an upfront fee of \$195 from a loan broker in that area. He was then told after a period of time that he was going to have to get a guarantor. So he proceeded to try and find a guarantor; he couldn't get one. That was the end of the loan. That was the end of the deal. Meanwhile, they kept the \$195.

So these things happen, whether they be for real estate transactions, for large loans, for second-mortgage loans, and people who are trying to obtain secondary financing for different reasons, people who don't understand the process, end up getting burnt.

Yes this has been a procedure that was certainly started by Linda Leatherdale in the Toronto Sun. As late as this morning there was an article in the Toronto Sun, which I'm sure some of you have seen. Mr Phillips, the member for Scarborough-Agincourt, picked up the message and proceeded with this bill. So I do congratulate him. It's a bill that's been long overdue, and certainly there will be a lot of loan brokers who won't be able to take advantage of this.

The Speaker: Questions and/or comments? Further debate?

Mr Bradley, in the absence of Mr Phillips, has moved third reading of Bill 152, An Act to prohibit certain types of payments to Loan Brokers. Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

HIGHWAY TRAFFIC AMENDMENT ACT (SLOW MOVING VEHICLE SIGNS), 1994

LOI DE 1994 MODIFIANT LE CODE DE LA ROUTE (PANNEAU DE VÉHICULE LENT)

Mr Hayes moved third reading of the following bill:

Bill 176, An Act to amend the Highway Traffic Act with respect to Slow Moving Vehicle Signs / Projet de loi 176, Loi modifiant le Code de la route en ce qui concerne le panneau de véhicule lent.

The Speaker (Hon David Warner): Does the member have any opening comments?

Mr Pat Hayes (Essex-Kent): I'd like to thank all the members of the House for supporting me, the Farm Safety Association, the women's institute, the OFA, the NFU and the Christian Farmers Federation. It's a bill they've been trying to get passed for 18 years, and I'm glad that all members of this House support it.

The Speaker: Questions and/or comments? Further debate?

Mr Hans Daigeler (Nepean): As I indicated earlier, the transportation bills seem to be the ones that get the House together, and I'm glad on this one as well, since it is a safety measure. Certainly, the rural members—I see Mr Eddy here, and all the other members, Mr Cleary, as the agricultural critic and Mrs Fawcett—have all indicated their support, and certainly my party will be supporting this bill on third reading.

The Speaker: Questions and/or comments? Is there further debate?

Mr Hayes has moved third reading of Bill 176, An Act

to amend the Highway Traffic Act with respect to Slow Moving Vehicle Signs. Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

MUNICIPALITY OF METROPOLITAN TORONTO
AMENDMENT ACT (STREET VENDING), 1994

LOI DE 1994 MODIFIANT LA LOI
SUR LA MUNICIPALITÉ
DE LA COMMUNAUTÉ URBAINE
DE TORONTO (VENTE DANS LA RUE)

Mr Bradley, on behalf of Mrs Caplan, moved third reading of the following bill:

Bill 183, An Act to amend the Municipality of Metropolitan Toronto Act / Projet de loi 183, Loi modifiant la Loi sur la municipalité de la communauté urbaine de Toronto.

The Speaker (Hon David Warner): Does the member have any opening comments? Debate?

Mr Chris Stockwell (Etobicoke West): This bill provides Metropolitan Toronto with the same legal rights that the city of Toronto has with respect to the use of sidewalk portions of road allowances. What it allows is to license store owners who operate outside their stores within a certain metre distance of the storefront and the sidewalk. There have been a significant number of injuries happen where store owners are encroaching further and further onto the sidewalk and thereby making it impossible for certain strollers or devices used in transporting people around on the sidewalks to pass.

Interjection: Mopeds.

Mr Stockwell: Yes, mopeds. What this does is, this allows the Metropolitan Toronto council to in fact license operators not to exceed certain limits on the sidewalk and in fact encroach on the travelled areas for pedestrians.

I would certainly recommend adoption of this, and I would compliment Metropolitan Toronto for its superb work in processing this baby through this House.

The Speaker: Questions and/or comments. Is there further debate?

Mr Bradley, in the absence of Mrs Caplan, has moved third reading of Bill 183, An Act to amend the Municipality of Metropolitan Toronto Act. Is it the pleasure of the House that the motion carry? Carried.

Resolved that the bill do now pass and be entitled as in the motion.

MUNICIPAL ELECTIONS AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT LA LOI
SUR LES ÉLECTIONS MUNICIPALES

Mr Runciman moved third reading of the following bill:

Bill 191, An Act to amend the Municipal Elections Act / Projet de loi 191, Loi modifiant la Loi sur les élections municipales.

The Speaker (Hon David Warner): Does the member have any opening comments?

Mr Robert W. Runciman (Leeds-Grenville): I appreciate the opportunity this evening, and I want to compliment the government on allowing this bill to move

forward, although there have been some amendments which have somewhat diluted the intent of the bill as it was tabled.

Some of the concerns that have been expressed by the association of clerks and treasurers I think certainly merit some attention and some discussion prior to the implementation of this change. There was reference made that there had been no consultation with the association of clerks and treasurers, people who did express a number of concerns.

I want to indicate that I had a discussion with the executive director of the association, and although he had not discussed the bill with the board as such, he had some personal concerns: (1) that the bill, in his view, would not have any meaningful impact on voter turnout; (2) that it would be more difficult to staff polls if workers have to stay an extra two hours; (3) he felt it would be more costly; and (4) he expressed concern about fatigue of poll workers. We had a lengthy discussion on this, and we addressed, I think reasonably satisfactorily, the concerns that he brought to my attention.

The question about impact: Granted, turnout at municipal elections fluctuates according to a number of factors, whether there's a mayor's race or reeve's race, those kinds of things. This bill is designed only to make it easier for people to exercise their democratic duty, and this has been done in a number of jurisdictions in the United States; in fact a number have changed to 6 am. What I'm suggesting here is 8 am.

2350

A number of the concerns that were conveyed to offices of members of the Conservative Party where originating in metropolitan areas, specifically urban areas like Metropolitan Toronto, where people have to travel significant distances and consume significant amounts of time going to work and returning home.

Having the polls open as they currently do at 10 am makes it virtually impossible for many people to vote prior to going to work under the current Municipal Act provisions, and of course the 8 pm closing time, if you're leaving work and you're faced with a 59-minute or an hour-and-a-half trip to reach your home destination, again there's very little likelihood—you're tired after a long day at work—and very little enthusiasm to make a visit to the polls. So I view this as a further encouragement, a further opportunity to exercise their democratic right and make it that much more accessible for municipal residents to cast a ballot in a municipal election.

Number two, the concern of the clerks and treasurers about making it more difficult to staff polls: Mr Speaker, the majority of workers at municipal election polls, as I'm sure you're aware from your own experiences, are retired individuals. These are people on fixed incomes who are very glad to be receiving the extra income, and the long hours aren't that long that you wouldn't want to do it once every three years. To suggest that those extra two hours are extremely burdensome to these individuals doing this once every three years is a little difficult to accept.

Number three was the cost. They expressed concern

about cost. Mr Speaker, again, as you know from your experience, polling stations are schools and churches primarily, and they're either offered free of charge or at a very nominal fee, which is paid for the entire day. So to suggest that the cost burden of extending the voting hours by two is going to have some significant impact on cost simply does not wash. When I discussed this with the executive director, I think his inclination was to agree. The other point I made was that workers are paid by the day in polling stations and not by the hour, so costs will not increase.

I think that I've adequately addressed the concerns of the clerks and treasurers association, and I believe that there is a fuller understanding, if not an appreciation, of the intent of this legislation at this point in time.

The Speaker: Questions and/or comments?

Mrs Margaret Marland (Mississauga South): I would just like to rise and speak very briefly in support of Bill 191. I think it's very important, and I speak for a city of half a million people that happens to be often viewed as a suburb of the greater Toronto area and the city of Toronto itself. A lot of my constituents have to work in the city and commute back and forth. Certainly, anyone who has to do that on the Queen Elizabeth and the Gardiner knows how much time it takes. If they could go and vote at 8 o'clock in the morning, before they left to commute downtown, it would certainly give all of them an equal opportunity to exercise their franchise. I think it's very important for all of us that this opportunity exists.

The Speaker: Further questions and/or comments? The honourable member for Leeds-Grenville has up to two minutes for his reply. Further debate?

Mr Runciman moves third reading of Bill 191, An Act to amend the Municipal Elections Act. Is it the pleasure of the House that the motion carry?

All in favour will please say "aye."

All opposed will please say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Resolved that the bill do now pass and be entitled as in the motion.

ADOPTION DISCLOSURE STATUTE LAW AMENDMENT ACT, 1994

LOI DE 1994 MODIFIANT DES LOIS EN CE QUI CONCERNE LA DIVULGATION DE RENSEIGNEMENTS SUR LES ADOPTIONS

Mr Martin moved third reading of the following bill:

Bill 158, An Act to amend the Vital Statistics Act and the Child and Family Services Act in respect of Adoption Disclosure / Projet de loi 158, Loi modifiant la Loi sur les statistiques de l'état civil et la Loi sur les services à l'enfance et à la famille en ce qui concerne la divulgation de renseignements sur les adoptions.

The Speaker (Hon David Warner): Does the member have any opening comments?

Mr Tony Martin (Sault Ste Marie): This is a very important bill to a large number of people in this province. It's a bill about rights. It's a bill about human

rights, but more than that and more specifically, it's a bill about birth rights. I stand here tonight very humbled and proud—humbled by the stories that I've heard over the last number of months as I've worked with this community, birth parents, adoptees, adoptive families, as they've talked about the frustration that they—

Interjection.

Mr Martin: Excuse me; this is an important bill for me—as they've talked about the importance of this bill to them, as they sit here tonight in support of this, as they've waited so long for this day to arrive, for them to be able to do what we all take for granted.

This bill is driven by the people from the adoption triangle; it's not driven by me or any particular member of this Legislature. It's about change and it's about having the courage to change. It gives adult adoptees the same rights as any other person born in Ontario to have access to their original birth records. This is vital information for those adoptees who have always wanted to know their origins, including thousands who have entered their names on the Ontario adoption disclosure register. The bill gives birth parents an opportunity to inform the adoptee that the birth parent does not wish to be contacted. Experience in other jurisdictions has shown that such wishes are respected.

We have talked about this bill over the last number of months at length and I ask you please tonight, all of you here, to consider that and to let this bill pass.

The Speaker: Questions and/or comments?

Mr Charles Beer (York-Mackenzie): Very briefly, because it is important that we vote on this bill, I believe this to be significant and important. It is going to help many people in this province and I urge everyone to allow this bill to be voted on tonight.

The Speaker: Further questions and/or comments? Is there further debate?

Mr Norman W. Sterling (Carleton): I move adjournment of the debate.

The Speaker: That is in order. The member moves adjournment of the debate. Is it the pleasure of the House that the motion carry?

All in favour will please say "aye."

All opposed will please say "nay."

In my opinion, the nays have it.

Further debate?

Mr Sterling: We have in front of us a major bill dealing with the rights of a huge number of people in the province of Ontario—

Interjections.

The Speaker: Order.

Mr Sterling: Some 200,000 people are affected—

Interjections.

Mr Sterling: I'm sorry, Mr Speaker, are you asking me to continue or—

The Speaker: The member has the floor.

Mr Sterling: Okay. We're dealing with the rights of 200,000—

Interjections.

Mr Sterling: I'm sorry, Mr Speaker—

The Speaker: Could the House come to order. The member for Carleton has the floor.

Mr Sterling: I understood that there was—I had adjourned the debate—

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): Get somebody else up to do it.

Mr Robert W. Runciman (Leeds-Grenville): I'll do it. Yes, David, you should do it.

Mr David Turnbull (York Mills): If you guys hadn't brought us back five weeks late, we wouldn't have this problem.

Mr David Tilson (Dufferin-Peel): Mr Speaker, I move we adjourn the debate.

The Speaker: No.

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): If the member opposite would yield the floor, I would be happy to move the adjournment of the debate.

Mr Sterling: Mr Speaker, I ask for unanimous consent that I might put the motion to move adjournment of the debate again.

The Speaker: Agreed? Agreed.

Mr Sterling: I move adjournment of the debate.

The Speaker: Is it the pleasure of the House that the motion carry?

All in favour will please say "aye."

All opposed will please say "nay."

In my opinion, the ayes have it. The motion is carried.
2400

Hon Mr Charlton: As we approach the end of this session, I have a number of motions that need to be moved.

STATUS OF BUSINESS

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): Firstly, I move that notwithstanding the prorogation of the House,

(i) the following government bills: Bill 23, An Act to amend the Colleges Collective Bargaining Act and the Ministry of Colleges and Universities Act; Bill 39, An Act to establish the Ontario Road Safety Corporation and to amend certain Acts administered by the Minister of Transportation; Bill 99, An Act to revise the Limitations Act; Bill 162, An Act to amend the Game and Fish Act; Bill 200, An Act to amend the Unclaimed Intangible Property Act;

(ii) all government orders with respect to committee reports;

(iii) all private members' bills except Bill 82, An Act to amend the Employment Standards Act and the Workers' Compensation Act; Bill 95, An Act to provide for the passing of vital services by-laws by the City of North York; Bill 180, An Act to amend the Municipality of Metropolitan Toronto Act;

(iv) all private bills;

(v) all private members' notices of motion;

(vi) all other matters referred to or designated in any standing committees;

remaining on the Orders and Notices paper at the prorogation of the third session of this Parliament be continued and placed on the Orders and Notices paper of the second sessional day of the fourth session of the 35th Parliament at the same stage of business for the House and its committees as at prorogation.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

COMMITTEE SITTINGS

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): I move that the following committees be continued and authorized to meet during the recess between the third and fourth sessions of the 35th Parliament in accordance with the schedule of meeting dates agreed by the three party House leaders and tabled with the Clerk of the assembly to examine and inquire into the following matters:

standing committee on finance and economic affairs, to consider matters related to the pre-budget consultation;

standing committee on government agencies, for two days each month that the House does not meet, to consider intended appointments as provided in its terms of reference;

and with the agreement of the House leader of each recognized party, the time allotted and the matters specified for consideration by the committees may be amended.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

COMMITTEE REPORTS

Hon Brian A. Charlton (Chair of the Management Board of Cabinet and Government House Leader): I move that committees be authorized to release their reports during the recess between the third and fourth sessions of this Parliament by depositing a copy of any report with the Clerk of the assembly, and on the second sessional day of the fourth session of the 35th Parliament, the Chairs of such committees shall bring any such reports before the House in accordance with the standing orders.

The Speaker (Hon David Warner): Is it the pleasure of the House that the motion carry? Carried.

Hon Bob Rae (Premier and Minister of Intergovernmental Affairs): It is my understanding that His Honour patiently awaits to give royal assent.

His Honour the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

ROYAL ASSENT

SANCTION ROYALE

Hon Henry N.R. Jackman (Lieutenant Governor): Please be seated.

The Speaker (Hon David Warner): May it please your Honour, the Legislative Assembly of the province has, at its present meetings thereof, passed certain bills to

which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 107, An Act to repeal the Superannuation Adjustment Benefits Act and to provide for the transfer of assets and liabilities of the Superannuation Adjustment Fund Account to the Ryerson Retirement Pension Plan of Ryerson Polytechnical Institute / Projet de loi 107, Loi abrogeant la loi intitulée Superannuation Adjustment Benefits Act et prévoyant le transfert de l'actif et du passif du compte du Fonds d'indexation des pensions de retraite au Régime de retraite de Ryerson de l'Institut polytechnique Ryerson

Bill 152, An Act to prohibit certain types of payments to Loan Brokers / Projet de loi 152, Loi interdisant aux courtiers en prêts d'exiger certains types de paiements

Bill 163, An Act to revise the Ontario Planning and Development Act and the Municipal Conflict of Interest Act, to amend the Planning Act and the Municipal Act and to amend other statutes relating to Planning and Municipal Matters / Projet de loi 163, Loi révisant la Loi sur la planification et l'aménagement du territoire de l'Ontario, la Loi sur les conflits d'intérêts municipaux, et modifiant la Loi sur l'aménagement du territoire et la Loi sur les municipalités et modifiant d'autres lois touchant des questions relatives à l'aménagement et aux municipalités

Bill 165, An Act to amend the Workers' Compensation Act and the Occupational Health and Safety Act / Projet de loi 165, Loi modifiant la Loi sur les accidents du travail et la Loi sur la santé et la sécurité au travail

Bill 171, An Act to revise the Crown Timber Act to provide for the sustainability of Crown Forests in Ontario / Projet de loi 171, Loi révisant la Loi sur le bois de la Couronne en vue de prévoir la durabilité des forêts de la Couronne en Ontario

Bill 173, An Act respecting Long-Term Care / Projet de loi 173, Loi concernant les soins de longue durée

Bill 175, An Act to amend the Statutes of Ontario with respect to the provision of services to the public, the administration of government programs and the management of government resources / Projet de loi 175, Loi modifiant les Lois de l'Ontario en ce qui a trait à la fourniture de services au public, à l'administration des programmes gouvernementaux et à la gestion des ressources gouvernementales

Bill 176, An Act to amend the Highway Traffic Act with respect to Slow Moving Vehicle Signs / Projet de loi 176, Loi modifiant le Code de la route en ce qui concerne le panneau de véhicule lent

Bill 179, An Act to amend the Highway Traffic Act / Projet de loi 179, Loi modifiant le Code de la route

Bill 183, An Act to amend the Municipality of Metropolitan Toronto Act / Projet de loi 183, Loi modifiant la Loi sur la municipalité de la communauté urbaine de Toronto

Bill 185, An Act to amend the Power Corporation

Act / Projet de loi 185, Loi modifiant la Loi sur la Société de l'électricité

Bill 187, An Act to reform the Law regulating Businesses / Projet de loi 187, Loi portant réforme du droit réglementant les entreprises

Bill 190, An Act to amend the Securities Act / Projet de loi 190, Loi modifiant la Loi sur les valeurs mobilières

Bill 191, An Act to amend the Municipal Elections Act / Projet de loi 191, Loi modifiant la Loi sur les élections municipales

Bill 192, An Act to amend the Highway Traffic Act respecting Firefighters / Projet de loi 192, Loi modifiant le Code de la route en ce qui a trait aux pompiers

Bill 197, An Act to amend the Assessment Act / Projet de loi 197, Loi modifiant la Loi sur l'évaluation foncière

Bill 198, An Act to amend the Liquor Licence Act, the Municipal Act and the Regional Municipalities Act and certain other statutes related to upper tier municipalities / Projet de loi 198, Loi modifiant la Loi sur les permis d'alcool, la Loi sur les municipalités, la Loi sur les municipalités régionales et certaines autres lois ayant trait aux municipalités de palier supérieur

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Bill 209, An Act to revise the Members' Conflict of Interest Act and to make related amendments to the Legislative Assembly Act / Projet de loi 209, Loi révisant la Loi sur les conflits d'intérêts des membres de l'Assemblée et apportant des modifications connexes à la Loi sur l'Assemblée législative

Bill 210, An Act to provide for the payment of money awarded in civil law suits to victims of crime / Projet de loi 210, Loi prévoyant le versement aux victimes d'actes criminels des sommes adjugées dans les poursuites civiles

Bill Pr51, An Act respecting the City of Windsor and the Will of Edmund Anderson Cleary

Bill Pr117, An Act respecting The J.G. Taylor Community Centre Inc.

Bill Pr118, An Act to revive Monpre Iron Mines Limited

Bill Pr120, An Act respecting the Young Men's Christian Association of Cambridge

Bill Pr121, An Act to revive York St. Peter's Evangelistic Organization

Bill Pr129, An Act respecting the Ontario Professional Planners Institute

Bill Pr130, An Act to revive Brampton Bramalea Christian Fellowship

Bill Pr132, An Act respecting the Township of East Luther and the Village of Grand Valley

Bill Pr133, An Act to revive Community Network of Child Care Programs (Willowdale)

Bill Pr135, An Act to revive Durham Regional Police Association Inc.

Bill Pr136, An Act to revive Peace Bridge Area United Fund Inc.

Bill Pr138, An Act to revive Berean Baptist Church of Collingwood

Bill Pr139, An Act respecting the Sarnia Community

Foundation

Bill Pr140, An Act respecting the City of Hamilton

Bill Pr143, An Act to revive Coballoy Mines and Refiners Limited

Bill Pr144, An Act to revive Columbia Metals Corporation Limited

Bill Pr145, An Act to revive Parkway Delicatessen Limited

Bill Pr146, An Act respecting the City of York

Bill Pr147, An Act respecting the City of York

Bill Pr148, An Act respecting the City of Mississauga

Bill Pr150, An Act to revive Mississauga Synchronized Swimming Association

Bill Pr151, An Act respecting the Board of Education for the City of London

Bill Pr152, An Act to revive S.A.W. Gallery Inc.

Bill Pr153, An Act respecting the Simcoe County Board of Education

Bill Pr154, An Act to revive Oshawa Deaf Centre Inc.

Bill Pr155, An Act to revive Pays D'en Haut Wilderness Expeditions Limited

Bill Pr158, An Act respecting the Ontario Association of Home Inspectors

Bill Pr159, An Act respecting the County of Kent and the Local Municipalities in it

Bill Pr160, An Act respecting the County of Kent.

Clerk of the House (Mr Claude L. DesRosiers): In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these bills.

Au nom de Sa Majesté, Son Honneur le lieutenant-gouverneur sanctionne ces projets de loi.

The Speaker: May it please your honour, we, Her Majesty's most dutiful and faithful subjects of the Legislative Assembly of the province of Ontario in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and government, and humbly beg to present for Your Honour's acceptance, a bill entitled An Act to authorize the payment of certain amounts for the Public Service for the fiscal year ending on March 31, 1995.

Clerk of the House: His Honour the Lieutenant Governor doth thank Her Majesty's dutiful and loyal subjects, accept their benevolence and assent to this bill in Her Majesty's name.

Son Honneur le lieutenant-gouverneur remercie les bons et loyaux sujets de Sa Majesté, accepte leur bienveillance et sanctionne ces projets de loi au nom de Sa Majesté.

PROROGATION SPEECH

DISCOURS DE PROROGATION

Hon Henry N.R. Jackman (Lieutenant Governor): Mr Speaker, members of the Legislative Assembly, ladies and gentlemen, the third session of the 35th Parliament, which I opened with a speech from the throne on April 13, 1993, has seen the province move into what is now an increasingly vibrant economic recovery.

The government's plan—to invest in jobs, to provide

sound fiscal management and to preserve services—is working and will continue to work. Strong leadership has been needed to make the tough but compassionate decisions required to sensibly and successfully guide Ontario's economy through this period of hardship. Now the people of Ontario can look forward with renewed hope to a buoyant economy and revitalized public services.

Job creation remains the government's number one priority. In November alone 45,000 new jobs were created, a rate of 1,500 per day. That continues a pattern of strong monthly job growth that began early this year. During the last 10 months alone, 182,000 new jobs have been created in Ontario.

All segments of society are participating in the recovery. Many of the most vulnerable Ontarians are now able to re-enter the workforce. In fact, from March to October of this year, general welfare assistance caseloads declined by 36,500, the most significant decrease since 1989.

But much work remains to be done. The current level of unemployment, although declining, is unacceptable to this government. More and more jobs are needed, and Jobs Ontario is meeting this challenge head-on. In this fiscal year alone, Jobs Ontario will be responsible for creating and supporting 166,500 Ontario jobs. Jobs Ontario will succeed because it represents a new kind of partnership involving Ontario businesses, organized labour, individual workers, training institutions, public sector agencies and communities.

Jobs Ontario Training has enlisted more than 38,000 employers in support of an initiative which thus far has created 65,000 jobs. Jobs Ontario Capital annually invests more than \$3 billion in Ontario's infrastructure, creating 93,000 jobs this year. Jobs Ontario Community Action will invest \$300 million in over a thousand projects in Ontario communities. Jobs Ontario Homes will create 20,000 units of affordable housing and generate \$1.65 billion in capital activity all over the province. Jobs Ontario Summer Employment has supported jobs for more than 20,000 students during each of the last two summers.

To facilitate infrastructure investment, the Capital Investment Plan Act established the Ontario Transportation Capital Corp, the Ontario Clean Water Agency, the Ontario Realty Corp and the Ontario Financing Authority. As one example of what this means, the government will be investing with its private sector partners in the construction of Highway 407, to be built 22 years ahead of schedule, creating 20,000 jobs over five years.

In January 1994, the Ontario government signed the tripartite Canada-Ontario infrastructure works agreement which will result in 37,000 jobs for Ontario workers.

Jobs Ontario programs are creating jobs now. The government's industrial strategy provides the framework for the jobs of tomorrow. The \$150-million sector partnership fund represents a new way of doing business in Ontario. Enormous future economic gains will flow from the sectoral partnerships being forged in the auto parts, plastics, aerospace, computing, telecommunications and health industries, to name but a few.

Another key example of the government's partnership approach is the Ontario Training and Adjustment Board. The transfer of responsibility for the provincial training system to an agency at arm's length from government allows those most directly affected—employers, unions and community-based trainers—to guide and coordinate training efforts in the province. OTAB's network of local boards will be able to coordinate and streamline labour market programming that is appropriate to the needs of the changing economy.

Community economic development is fundamental to the government's economic renewal strategy. Legislation was passed to provide credit unions and caisses populaires with broader lending powers to support small business, farms and cooperatives. Revitalization of the Thunder Bay waterfront and creation of the Roberta Bondar Park in Sault Ste Marie are only two of the hundreds of community projects undertaken throughout Ontario. The Windsor casino will result in 10,700 new jobs and generate over \$200 million in revenues for the province.

A thriving small business sector is a cornerstone of job creation. My government's Clearing the Path initiative will simplify business regulations and streamline the regulatory paperwork for small businesses. Legislation accompanying the 1994 budget has increased small and medium-sized business access to capital and strengthened the role of cooperatives. Tax measures were implemented to exempt employers hiring new workers and new employers from paying the payroll health tax.

This government has passed legislation that institutes a workable management structure and financially viable compensation system for the Workers' Compensation Board. A royal commission will recommend longer-term solutions to the challenges facing employers and injured workers who rely on the board.

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Following extensive consultation, the Employment Equity Act was proclaimed this September. This legislation will increase equity and fairness in the workplace for women, aboriginal people, persons with disabilities and members of racial minorities. Employment equity stands as a cornerstone of this government's agenda for social justice and economic renewal.

My government is particularly sensitive to the need to develop appropriate programs and resources for the agricultural communities of this province. To this end, the government has committed itself to protecting the unique fruit lands of Niagara through the tender fruit lands program.

My government was also pleased to have been able to respond to the long-standing request from farm organizations to stabilize their funding base. The Farm Registration and Farm Organizations Funding Act will allow farm organizations to provide better services on behalf of their farmer members.

In addition, the government announced the FarmPlus loan program, which will give Ontario farmers better access to investment capital loans. This program will strengthen Ontario farm businesses and thereby enhance

our agricultural and rural economy.

The government recognizes that a commitment to the environment and concern about the economy are not mutually exclusive—both are essential components of a healthy and viable community.

A significant step was taken towards greater accountability and citizen participation in the environment with the proclamation of the Environmental Bill of Rights on February 15, 1994.

The Crown Forest Sustainability Act guarantees the long-term health of our forests and will help to sustain the communities, industries and jobs dependent on them.

This House has recently passed legislation which will change land use planning in Ontario by allowing municipalities greater control over the planning process, give more consideration to environmental issues and which will reduce red tape for developers.

The second element of my government's plan recognizes that in addition to job creation, an essential element of providing good government is responsible fiscal management. Governments everywhere are coming to terms with the fiscal realities imposed by escalating deficits and the declining revenues accompanying the recession.

It must be noted that the government's fiscal situation has been dramatically and adversely affected by a series of actions taken by two successive federal governments. Billions of dollars have been cut from Ontario's transfer payments. Ontario has been denied its fair share relative to other provinces.

In the spring of 1993, my government came forward with a clear plan to manage its deficit. An expenditure control plan was put forward, reducing government expenditures by \$4 billion, with minimal disruption to programs and services. The Social Contract Act was passed, allowing the government to avoid up to 40,000 layoffs and realize another \$2 billion in savings. The alternative to these tough decisions would have been an irreversible decline in the quality of the public services Ontarians deserve.

The current budget furthered these bold steps to ensure that deficit reduction targets are achieved.

Like the private sector, governments must restructure to meet the challenges of the modern economy. We began by decreasing the number of government ministries from 28 to 20. The government will meet its commitment to reduce the size of the Ontario public service by more than 5,000 positions—and this has been accomplished with almost no layoffs.

The government's intention to issue new, more secure health cards to residents of the province is just one example of sound management. Photo health cards will result in approximately \$65 million in annual savings by reducing fraud and misuse.

The final element of the government's plan is the preservation and enhancement of services for all Ontarians. My government is fully committed to ensuring quality programs and services for all residents of this province.

In this respect, the redirection of long-term care and

support services is well under way. These reforms will integrate and improve services to elderly persons, their caregivers, adults with physical disabilities and others who need health services at home.

The government's commitment to illness prevention was clearly demonstrated in the recent proclamation of the Tobacco Control Act. This legislation focuses efforts on discouraging our young people from starting to smoke.

The aboriginal healing and wellness strategy will allow my government to work in partnership with first nations to address the pressing health issues facing aboriginal communities.

My government's continuing concern about the quality of education in this province led to the appointment of the Royal Commission on Learning in May 1993. The commission will make recommendations on re-engineering Ontario's education system to ensure our children are prepared for the 21st century.

Notre gouvernement entend faciliter l'accès des étudiants francophones à l'éducation supérieure. Il l'a prouvé en annonçant la création de deux nouveaux collèges de langue française ainsi que l'aménagement d'un campus permanent pour la Cité collégiale, le premier collège francophone en Ontario.

Legislation to extend pay equity was proclaimed in July 1993. Now, 420,000 additional women will have access to fairer wages. These workers, primarily in the broader public sector, ensure the high quality of public services we rely on.

These three elements—job creation, sound fiscal management and preservation of public services—have guided my government's course over the past session.

The plan is a balanced and fair approach to governing in difficult times. It is a plan which has helped put this province back on its feet.

In addition, the government has taken other actions to ensure that Ontarians are able to live in safe communities. Personal safety is an issue which increasingly confronts each of us.

To this end, this House passed the Highway Traffic Amendment Act last fall, to provide a safer regime of licensing new drivers. In addition, my government has introduced the integrated safety project to curtail speeding and further enhance safety on Ontario highways. These are significant initiatives to provide safety on our roads.

My government established the provincial weapons enforcement unit, and a three-month weapons amnesty which took over 4,300 weapons out of our neighbourhoods. Most recently, the government has passed legislation to allow municipalities and police to take the necessary measures to protect neighbourhoods from the violence and disruption too often associated with after-hours bars.

Honourable members, I would like to congratulate you on your many accomplishments during this lengthy session.

I would also like to take this opportunity to wish you and your families the very best wishes during the holiday season, and a healthy and happy new year.

In our sovereign's name, I thank you.

Nous déclarons maintenant la session prorogée.

I now declare this session prorogued.

His Honour was then pleased to retire.

The House prorogued at 2429.

ERRATUM

| No. | Page | Column | Line | Should read: |
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| 169A | 8442 | 2 | 30 | Ontario Canada: premier@gov.on.ca, as it's called. |

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor/Lieutenant-gouverneur: Lt Col The Hon/L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD

Speaker/Président: Hon/L'hon David Warner

Clerk/Greffier: Claude L. DesRosiers

Senior Clerk Assistant and Clerk of Journals/Greffier adjoint principal et Greffier des journaux: Alex D. McFedries

Clerk Assistant and Clerk of Committees/Greffière adjointe et Greffière des comités: Deborah Deller

Sergeant at Arms/Sergent d'armes: Thomas Stelling

| Member/Député(e) | Constituency/Circonscription | Party/Parti | Other responsibilities/Autres responsabilités |
|--|------------------------------|-------------|--|
| Abel, Donald | Wentworth North/-Nord | ND | government whip / whip du gouvernement |
| Allen, Hon/L'hon Richard | Hamilton West/-Ouest | ND | Minister of Housing / ministre du Logement |
| Arnott, Ted | Wellington | PC | Vice-Chair, standing committee on estimates / Vice-Président du Comité permanent des budgets des dépenses |
| Beer, Charles | York-Mackenzie | L | Chair, standing committee on social development / Président du Comité permanent des affaires sociales |
| Bisson, Gilles | Cochrane South/-Sud | ND | parliamentary assistant to Minister of Northern Development and Mines, parliamentary assistant to minister responsible for francophone affairs / adjoint parlementaire de la ministre du Développement du Nord et des Mines, adjoint parlementaire du ministre délégué aux Affaires francophones |
| Boyd, Hon/L'hon Marion | London Centre/-Centre | ND | Attorney General, minister responsible for women's issues / procureure générale, ministre déléguée à la Condition féminine |
| Bradley, James J. | St Catharines | L | opposition House leader / chef parlementaire de l'opposition |
| Brown, Michael A. | Algoma-Manitoulin | L | Chair, standing committee on general government / Président du Comité permanent des affaires gouvernementales |
| Buchanan, Hon/L'hon Elmer | Hastings-Peterborough | ND | Minister of Agriculture, Food and Rural Affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales |
| Callahan, Robert V. | Brampton South/-Sud | L | |
| Caplan, Elinor | Oriole | L | opposition deputy House leader / chef parlementaire adjoint de l'opposition |
| Carr, Gary | Oakville South/-Sud | PC | Progressive Conservative deputy House leader / chef parlementaire adjoint du Parti progressiste-conservateur |
| Carter, Jenny | Peterborough | ND | parliamentary assistant to Minister of Citizenship / adjointe parlementaire de la ministre des Affaires civiques |
| Charlton, Hon/L'hon Brian A. | Hamilton Mountain | ND | Chair of the Management Board of Cabinet, government House leader and minister responsible for the automobile insurance review / président du Conseil de gestion, leader parlementaire du gouvernement et délégué à l'Assurance-automobile |
| Chiarelli, Robert | Ottawa West/-Ouest | L | |
| Christopherson, Hon/L'hon David | Hamilton Centre/-Centre | ND | Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels |
| Churley, Hon/L'hon Marilyn | Riverdale | ND | Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce |
| Cleary, John C. | Cornwall | L | |
| Conway, Sean G. | Renfrew North/-Nord | L | Deputy Leader of the Opposition / chef adjoint de l'opposition |
| Cooke, Hon/L'hon David S. | Windsor-Riverside | ND | Minister of Education and Training, minister responsible for the Ontario Training and Adjustment Board / ministre de l'Éducation et de la Formation, ministre responsable du Conseil ontarien de formation et d'adaptation de la main-d'oeuvre |
| Cooper, Mike | Kitchener-Wilmot | ND | parliamentary assistant to Minister of Labour; Chair, standing committee on resources development / adjoint parlementaire du ministre du Travail, Président du Comité permanent du développement des ressources |

| Member/Député(e) | Constituency/Circonscription | Party/Parti | Other responsibilities/Autres responsabilités |
|----------------------------------|------------------------------|-------------|--|
| Coppen, Hon/L'hon Shirley | Niagara South/-Sud | ND | Minister of Labour / ministre du Travail |
| Cordiano, Joseph | Lawrence | L | Chair, standing committee on public accounts / Président du Comité permanent des comptes publics |
| Crozier, Bruce | Essex South/-Sud | L | |
| Cunningham, Dianne | London North/-Nord | PC | |
| Curling, Alvin | Scarborough North/-Nord | L | opposition deputy whip / whip adjoint de l'opposition |
| Dadamo, George | Windsor-Sandwich | ND | parliamentary assistant to Minister of Transportation / adjoint parlementaire du ministre des Transports |
| Daigeler, Hans | Nepean | L | Vice-Chair, standing committee on general government / Vice- Président du Comité permanent des affaires gouvernementales |
| Duignan, Noel | Halton North/-Nord | ND | parliamentary assistant to Minister of Consumer and Commercial Relations / adjoint parlementaire de la ministre de la Consommation et du Commerce |
| Eddy, Ron | Brant-Haldimand | L | Vice-Chair, standing committee on social development / Vice-Président du Comité permanent des affaires sociales |
| Eves, Ernie L. | Parry Sound | PC | Progressive Conservative House leader / chef parlementaire du Parti progressiste-conservateur |
| Farnan, Hon/L'hon Mike | Cambridge | ND | Minister of Transportation / ministre des Transports |
| Fawcett, Joan M. | Northumberland | L | |
| Fletcher, Derek | Guelph | ND | parliamentary assistant to Minister of Citizenship / adjoint parlementaire de la ministre des Affaires civiques |
| Frankford, Robert | Scarborough East/-Est | ND | |
| Gigantes, Evelyn | Ottawa Centre/-Centre | ND | |
| Grandmaître, Bernard | Ottawa East/-Est | L | |
| Grier, Hon/L'hon Ruth | Etobicoke-Lakeshore | ND | Minister of Health / ministre de la Santé |
| Haeck, Christel | St Catharines-Brock | ND | Chair, standing committee on regulations and private bills / Présidente du Comité permanent des règlements et des projets de loi privés |
| Hampton, Hon/L'hon Howard | Rainy River | ND | Minister of Natural Resources / ministre des Richesses naturelles |
| Hansen, Ron | Lincoln | ND | Chair, standing committee on the Legislative Assembly / Président du Comité permanent de l'Assemblée législative |
| Harnick, Charles | Willowdale | PC | |
| Harrington, Margaret H. | Niagara Falls | ND | First Deputy Chair of the Committee of the Whole House; Vice- Chair, standing committee on administration of justice / Premier Vice-Présidente du Comité plénier de l'Assemblée législative, Vice-Présidente du Comité permanent de l'administration de la justice |
| Harris, Michael D. | Nipissing | PC | leader of the Progressive Conservative Party / chef du Parti progressiste-conservateur |
| Haslam, Karen | Perth | ND | |
| Hayes, Pat | Essex-Kent | ND | parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales |
| Henderson, D. James | Etobicoke-Humber | L | |
| Hodgson, Chris | Victoria-Haliburton | PC | |
| Hope, Randy R. | Chatham-Kent | ND | parliamentary assistant to Minister of Community and Social Services / adjoint parlementaire du ministre des Services sociaux et communautaires |
| Huget, Hon/L'hon Bob | Sarnia | ND | Minister without Portfolio, Ministry of Economic Development and Trade / ministre sans portefeuille, ministère du Développement économique et du Commerce |

| Member/Député(e) | Constituency/Circonscription | Party/Parti | Other responsibilities/Autres responsabilités |
|-----------------------------------|--|-------------|---|
| Jackson, Cameron | Burlington South/-Sud | PC | Chair, standing committee on estimates / Président du Comité permanent des budgets des dépenses |
| Jamison, Norm | Norfolk | ND | parliamentary assistant to Minister of Economic Development and Trade / adjoint parlementaire de la ministre du Développement économique et du Commerce |
| Johnson, David | Don Mills | PC | |
| Johnson, Paul R. | Prince Edward-Lennox-South Hastings / Prince Edward-Lennox-Hastings-Sud | ND | parliamentary assistant to Minister of Economic Development and Trade; Chair, standing committee on finance and economic affairs / adjoint parlementaire de la ministre du Développement économique et du Commerce, Président du Comité permanent des finances et des affaires économiques |
| Jordan, Leo | Lanark-Renfrew | PC | |
| Klopp, Paul | Huron | ND | parliamentary assistant to Minister of Agriculture, Food and Rural Affairs / adjoint parlementaire du ministre de l'Agriculture, de l'Alimentation et des Affaires rurales |
| Kormos, Peter | Welland-Thorold | ND | |
| Kwinter, Monte | Wilson Heights | L | |
| Lankin, Hon/L'hon Frances | Beaches-Woodbine | ND | Minister of Economic Development and Trade / ministre du Développement économique et du Commerce |
| Laughren, Hon/L'hon Floyd | Nickel Belt | ND | Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances |
| Lessard, Wayne | Windsor-Walkerville | ND | parliamentary assistant to Minister of Environment and Energy / adjoint parlementaire du ministre de l'Environnement et de l'Énergie |
| Mackenzie, Bob | Hamilton East/-Est | ND | |
| MacKinnon, Ellen | Lambton | ND | Vice-Chair, standing committee on regulations and private bills / Vice-Présidente du Comité permanent des règlements et des projets de loi privés |
| Mahoney, Steven W. | Mississauga West/-Ouest | L | opposition chief whip / whip en chef de l'opposition |
| Malkowski, Gary | York East/-Est | ND | parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation |
| Mammoliti, George | Yorkview | ND | parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels |
| Marchese, Rosario | Fort York | ND | parliamentary assistant to the Premier; parliamentary assistant to Minister of Intergovernmental Affairs; Chair, standing committee on administration of justice / adjoint parlementaire du premier ministre, adjoint parlementaire du ministre des Affaires intergouvernementales, Président du Comité permanent de l'administration de la justice |
| Marland, Margaret | Mississauga South/-Sud | PC | Chair, standing committee on government agencies / Présidente du Comité permanent des organismes gouvernementaux |
| Martel, Shelley | Sudbury East/-Est | ND | |
| Martin, Tony | Sault Ste Marie / Sault-Sainte-Marie | ND | parliamentary assistant to Minister of Education and Training / adjoint parlementaire du ministre de l'Éducation et de la Formation |
| Mathyssen, Hon/L'hon Irene | Middlesex | ND | Minister without Portfolio, Ministry of Culture, Tourism and Recreation / ministre sans portefeuille, ministère de la Culture, du Tourisme et des Loisirs |
| McClelland, Carman | Brampton North/-Nord | L | |
| McGuinty, Dalton | Ottawa South/-Sud | L | |
| McLean, Allan K. | Simcoe East/-Est | PC | Vice-Chair, standing committee on government agencies / Vice-Président du Comité permanent des organismes gouvernementaux |
| McLeod, Lyn | Fort William | L | Leader of the Opposition / chef de l'opposition |
| Miclash, Frank | Kenora | L | opposition deputy whip / whip adjoint de l'opposition |

| Member/Député(e) | Constituency/Circonscription | Party/Parti | Other responsibilities/Autres responsabilités |
|----------------------------------|--|-------------|---|
| Mills, Gordon | Durham East/-Est | ND | parliamentary assistant to Solicitor General and Minister of Correctional Services / adjoint parlementaire du solliciteur général et ministre des Services correctionnels |
| Morin, Gilles E. | Carleton East/-Est | L | Deputy Speaker and Chair of the Committee of the Whole House / Vice-Président de la Chambre et Président du Comité plénier de l'Assemblée législative |
| Morrow, Mark | Wentworth East/-Est | ND | |
| Murdoch, Bill | Grey-Owen Sound | PC | |
| Murdock, Sharon | Sudbury | ND | parliamentary assistant to Minister of Labour / adjointe parlementaire du ministre du Travail |
| Murphy, Tim | St George-St David | L | |
| North, Peter | Elgin | Ind | |
| O'Connor, Larry | Durham-York | ND | parliamentary assistant to Minister of Health / adjoint parlementaire de la ministre de la Santé |
| O'Neil, Hugh | Quinte | L | |
| O'Neill, Yvonne | Ottawa-Rideau | L | |
| Offer, Steven | Mississauga North/-Nord | L | |
| Owens, Hon/L'hon Stephen | Scarborough Centre/-Centre | ND | Minister without Portfolio, Ministry of Education and Training / ministre sans portefeuille, ministère de l'Éducation et de la Formation |
| Perruzza, Anthony | Downsview | ND | parliamentary assistant to Chair of the Management Board of Cabinet / adjoint parlementaire du président du Conseil de gestion |
| Philip, Hon/L'hon Ed | Etobicoke-Rexdale | ND | Minister of Municipal Affairs, minister responsible for the office for the greater Toronto area / ministre des Affaires municipales, ministre responsable du Bureau de la région du grand Toronto |
| Phillips, Gerry | Scarborough-Agincourt | L | |
| Pilkey, Hon/L'hon Allan | Oshawa | ND | Minister without Portfolio, Ministry of Municipal Affairs / ministre sans portefeuille, ministère des Affaires municipales |
| Poirier, Jean | Prescott and Russell / Prescott et Russell | L | |
| Poole, Dianne | Eglington | L | Vice-Chair, standing committee on public accounts / Vice-Présidente du Comité permanent des comptes publics |
| Pouliot, Hon/L'hon Gilles | Lake Nipigon / Lac-Nipigon | ND | Minister of Northern Development and Mines, minister responsible for francophone affairs / ministre du Développement du Nord et des Mines, ministre délégué aux Affaires francophones |
| Rae, Hon/L'hon Bob | York South/-Sud | ND | Premier, President of the Executive Council, Minister of Intergovernmental Affairs / premier ministre, président du Conseil exécutif, ministre des Affaires gouvernementales |
| Ramsay, David | Timiskaming | L | |
| Rizzo, Tony | Oakwood | ND | Chair, standing committee on the Ombudsman / Président du Comité permanent de l'ombudsman |
| Runciman, Robert W. | Leeds-Grenville | PC | Progressive Conservative chief whip / whip en chef du Parti progressiste-conservateur |
| Ruprecht, Tony | Parkdale | L | |
| Silipo, Hon/L'hon Tony | Dovercourt | ND | Minister of Community and Social Services / ministre des Services sociaux et communautaires |
| Sola, John | Mississauga East/-Est | Ind | |
| Sorbara, Gregory S. | York Centre/-Centre | L | |
| Sterling, Norman W. | Carleton | PC | |
| Stockwell, Chris | Etobicoke West/-Ouest | PC | |
| Sullivan, Barbara | Halton Centre/-Centre | L | |
| Sutherland, Kimble | Oxford | ND | parliamentary assistant to Minister of Finance / adjoint parlementaire du ministre des Finances |
| Swarbrick, Hon/L'hon Anne | Scarborough West/-Ouest | ND | Minister of Culture, Tourism and Recreation / ministre de la Culture, du Tourisme et des Loisirs |
| Tilson, David | Dufferin-Peel | PC | |

| Member/Député(e) | Constituency/Circonscription | Party/Parti | Other responsibilities/Autres responsabilités |
|---|--|-------------|--|
| Turnbull, David | York Mills | PC | Progressive Conservative deputy whip / whip adjoint du Parti progressiste-conservateur |
| Villeneuve, Noble | S-D-G & East Grenville / S-D-G et Grenville-Est | PC | Second Deputy Chair of the Committee of the Whole House / Deuxième Vice-Président du Comité plénier de l'Assemblée législative |
| Ward, Hon/L'hon Brad | Brantford | ND | Minister without Portfolio, Ministry of Finance / ministre sans portefeuille, ministère des Finances |
| Wark-Martyn, Hon/L'hon Shelley | Port Arthur | ND | Minister without Portfolio, Ministry of Health / ministre sans portefeuille, ministère de la Santé |
| Warner, Hon/L'hon David | Scarborough-Ellesmere | ND | Speaker / Président |
| Waters, Daniel | Muskoka-Georgian Bay | ND | parliamentary assistant to Minister of Culture, Tourism and Recreation / adjoint parlementaire de la ministre de la Culture, du Tourisme et des Loisirs |
| Wessenger, Paul | Simcoe Centre/-Centre | ND | parliamentary assistant to Minister of Health; Vice-Chair, standing committee on the Legislative Assembly / adjoint parlementaire de la ministre de la Santé, Vice-Président du Comité permanent de l'Assemblée législative |
| White, Drummond | Durham Centre/-Centre | ND | parliamentary assistant to Minister of Municipal Affairs / adjoint parlementaire du ministre des Affaires municipales |
| Wildman, Hon/L'hon Bud | Algoma | ND | Minister of Environment and Energy, minister responsible for native affairs / ministre de l'Environnement et de l'Énergie, ministre délégué aux Affaires autochtones |
| Wilson, Hon/L'hon Fred | Frontenac-Addington | ND | Minister without Portfolio and chief government whip / ministre sans portefeuille et whip en chef du gouvernement |
| Wilson, Gary | Kingston and The Islands / Kingston et Les Îles | ND | parliamentary assistant to Minister of Housing; Vice-Chair, standing committee on the Ombudsman / adjoint parlementaire de la ministre de Logement, Vice-Président du Comité permanent de l'ombudsman |
| Wilson, Jim | Simcoe West/-Ouest | PC | |
| Winninger, David | London South/-Sud | ND | |
| Wiseman, Jim | Durham West/-Ouest | ND | parliamentary assistant to Chair of the Management Board of Cabinet; Vice-Chair, standing committee on finance and economic affairs / adjoint parlementaire du président du Conseil de gestion, Vice-Président du Comité permanent des finances et des affaires économiques |
| Witmer, Elizabeth | Waterloo North/-Nord | PC | |
| Wood, Len | Cochrane North/-Nord | ND | parliamentary assistant to Minister of Natural Resources; Vice-Chair, standing committee on resources development / adjoint parlementaire du ministre des Richesses naturelles, Vice-Président du Comité permanent du développement des ressources |
| Ziemba, Hon/L'hon Elaine | High Park-Swansea | ND | Minister of Citizenship, minister responsible for human rights, disability issues, seniors' issues and race relations / ministre des Affaires civiques, ministre déléguée aux Droits de la personne, aux Affaires des personnes handicapées, aux Affaires des personnes âgées et aux Relations interraciales |
| Vacant | Bruce | | |
| Vacant | Kitchener | | |
| Vacant | Markham | | |
| Vacant | St Andrew-St Patrick | | |

**STANDING COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS DE L'ASSEMBLÉE LÉGISLATIVE**

Administration of justice/Administration de la justice

Chair/Président: Rosario Marchese
Vice-Chair/Vice-Présidente: Margaret H. Harrington
Gilles Bisson, Robert Chiarelli, Alvin Curling,
Christel Haeck, Charles Harnick, Gary Malkowski,
Tim Murphy, David Tilson, Gary Wilson, David Winninger
Clerk/Greffière: Donna Bryce

Estimates/Budgets des dépenses

Chair/Président: Cameron Jackson
Vice-Chair/Vice-Président: Ted Arnott
Donald Abel, James J. Bradley, Gary Carr, Noel Duignan,
Derek Fletcher, Pat Hayes, Wayne Lessard,
Steven W. Mahoney, David Ramsay, Jim Wiseman
Clerk/Greffière: Tonia Grannum

Finance and economic affairs/

Finances et affaires économiques

Chair/Président: Paul R. Johnson
Vice-Chair/Vice-Président: Jim Wiseman
Donald Abel, Elinor Caplan, Gary Carr, Karen Haslam,
David Johnson, Norm Jamison, Monte Kwinter,
Wayne Lessard, Gerry Phillips, Kimble Sutherland
Clerk/Greffière: Lynn Mellor

General government/Affaires gouvernementales

Chair/Président: Michael A. Brown
Vice-Chair/Vice-Président: Hans Daigeler
Ted Arnott, George Dadamo, Bernard Grandmaître,
Randy R. Hope, David Johnson, George Mammoliti,
Mark Morrow, Gregory S. Sorbara, Paul Wessinger,
Drummond White
Clerk/Greffier: Franco Carrozza

Government agencies/Organismes gouvernementaux

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Vice-Chair/Vice-Président: Allan K. McLean
Jenny Carter, John C. Cleary, Bruce Crozier,
Alvin Curling, Robert Frankford, Evelyn Gigantes,
Margaret H. Harrington, Gary Malkowski, Daniel Waters,
Elizabeth Witmer
Clerk/Greffière: Lynn Mellor

Legislative Assembly/Assemblée législative

Chair/Président: Ron Hansen
Vice-Chair/Vice-Président: Paul Wessinger
George Dadamo, Paul R. Johnson, Ellen MacKinnon,
Carman McClelland, Gilles E. Morin, Tony Rizzo,
Norman W. Sterling, Barbara Sullivan, Kimble Sutherland,
Noble Villeneuve
Clerk/Greffière: Lisa Freedman

Ombudsman

Chair/Président: Tony Rizzo
Vice-Chair/Vice-Président: Gary Wilson
Donald Abel, Mike Cooper, Karen Haslam,
D. James Henderson, Tony Martin, Frank Miclash,
Bill Murdoch, David Ramsay, Chris Stockwell, Len Wood
Clerk/Greffier: Todd Decker

Public accounts/Comptes publics

Chair/Président: Joseph Cordiano
Vice-Chair/Vice-Présidente: Dianne Poole
Gilles Bisson, Robert V. Callahan, Bruce Crozier,
Robert Frankford, Rosario Marchese, Margaret Marland,
Shelley Martel, Larry O'Connor, Anthony Perruzza,
David Tilson
Clerk/Greffier: Todd Decker

Regulations and private bills/

Règlements et projets de loi privés

Chair/Présidente: Christel Haeck
Vice-Chair/Vice-Présidente: Ellen MacKinnon
Ron Eddy, Derek Fletcher, Ron Hansen, Pat Hayes,
Chris Hodgson, Leo Jordan, Gordon Mills, Hugh O'Neil,
Anthony Perruzza, Tony Ruprecht
Clerk/Greffière: Tonia Grannum

Resources development/

Développement des ressources

Chair/Président: Mike Cooper
Vice-Chair/Vice-Président: Len Wood
Sean G. Conway, Joan M. Fawcett, Leo Jordan, Paul Klopp,
Shelley Martel, Gordon Mills, Sharon Murdock,
Steven Offer, David Turnbull, Daniel Waters
Clerk/Greffière: Tannis Manikel

Social development/Affaires sociales

Chair/Président: Charles Beer
Vice-Chair/Vice-Président: Ron Eddy
Jenny Carter, Dianne Cunningham, Evelyn Gigantes,
Norm Jamison, Tony Martin, Dalton McGuinty,
Larry O'Connor, Yvonne O'Neill, Tony Rizzo, Jim Wilson
Clerk/Greffier: Douglas Arnott

These lists appear in the first and last issues of each session and on the first Monday of each month. A list arranged by riding appears when space permits.

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